SUB-COMMITTEE No. III (MINORITIES).

(*16th and 19th Jan., 1931.*)

SUB-COMMITTEE No. IV (BURMA).

(*16th Jan., 1931.*)

SUB-COMMITTEE No. V (NORTH-WEST FRONTIER PROVINCE).

(*16th Jan., 1931.*)

SUB-COMMITTEE No. VI (FRANCHISE).

(*16th Jan., 1931.*)

SUB-COMMITTEE No. VII (DEFENCE).

(*16th Jan., 1931.*)

SUB-COMMITTEE No. VIII (SERVICES).

(*16th Jan., 1931.*)

SUB-COMMITTEE No. IX (SIND).

(16th Jan., 1931.)

* Including question of the creation of an Oriya Province.

Final Session.

INDIAN ROUND TABLE CONFERENCE

INTRODUCTORY NOTE.

1. The Indian Round Table Conference was inaugurated by His Majesty the King-Emperor, at a public session in the Royal Gallery of the House of Lords, on 12th November, 1930.

The full proceedings at this session are printed on pages 11 to 19.

2. After the opening ceremony, the Conference decided, on the advice of the Business Committee (appointed at the close of the first session), to proceed to a general discussion in Plenary Session "On the question whether the future constitution of India should be on a federal or unitary basis." The Chairman stated that he would put a liberal interpretation on the subject thus placed before the Conference, and would allow reference to cognate questions and to questions which the Conference might think were involved in the decision between a constitution of the federal or unitary type. The Conference did not intend that any conclusions should be reached in this general discussion, but it was expected that the general trend of it would enable the Conference to frame its programme for further discussion in Committee.

The general discussion, which lasted for five days, is contained in pages 21 to 175.

The debate ranged over a wide field, but its most striking feature was declarations from Delegates from the Indian States opening the way to the consideration of a new federal constitution for India, embracing both British India and Indian States.

3. On the conclusion of the general discussion the Conference, on the advice of the Business Committee, decided to set up a "Federal Relations Committee to consider the structure of a federal system of government in India as regards relations between Indian States and British India, and relations between Provinces of British India and the Centre, including the question of responsibility at the Centre, and to recommend the main principles to be applied".

The Lord Chancellor framed the following Heads of Discussion for the Federal Relations Committee:—

1.

The component elements of the Federation.

2.

The type of Federal Legislature and the number of Chambers of which it should consist.

3.

The powers of the Federal Legislature.

4.

The number of members composing the Federal Legislature, and if the Legislature is of more than one Chamber, of each Chamber, and their distribution among the federating units.

5.

The method whereby representatives from British India and from the Indian States are to be chosen.

6.

The constitution, character, powers and responsibilities of the Federal Executive.

7.

The powers of the Provincial Legislatures.

8.

The constitution, character, powers and responsibilities of the Provincial Executives.

9.

The provision to be made to secure the willing co-operation of the minorities and the special interests.

10.

The question of establishing a Supreme Court and its jurisdiction.

11.

The Defence Forces.

12.

The relation of the Federal Executive and of the Provincial Executives to the Crown.

4. It was, however, found more convenient to work through a Committee of the Whole Conference, instead of through the Federal Relations Committee, and the Committee of the Whole set up nine sub-Committees to consider the following questions:—

No.	*Name of sub-Committee.*	*Subject or terms of Reference.*	*Page in this vol.*
I	Federal Structure .	1. The Component elements of the Federation. 2. The type of Federal Legislature and the number of Chambers of which it should consist. 3. The powers of the Federal Legislature. 4. The number of members composing the Federal Legislature, and if the Legislature is of more than one Chamber, of each Chamber and their distribution among the federating units. 5. The method whereby representatives from British India and from the Indian States are to be chosen. 6. The constitution, character, powers and responsibilities of the Federal Executive.	188—286

No.	Name of sub-Committee.	Subject or terms of Reference.	Page in this vol.
II	Provincial Constitution.	The powers of the Provincial Legislatures. The constitution, character, powers and responsibilities of the Provincial Executives.	287—314
III	Minorities . . .	The provision to be made to secure the willing co-operation of the minorities and the special interests.	315—337
IV	Burma . . .	To consider the nature of the conditions which would enable Burma to be separated from British India on equitable terms and to recommend the best way of securing this end.	338—359
V	North-West Frontier Province.	To consider what modifications, if any, are to be made in the General Provincial Constitution to meet the special circumstances of the North-West Frontier Province.	360—366
VI	Franchise . . .	On what main principles is the Franchise to be based for men and women.	367—372
VII	Defence . . .	To consider questions of political principle relating to Defence, other than strictly constitutional aspects to be considered under Heads 6 (Powers of Executive) and 12 (Relations with the Crown).	373—383
VIII	Services . . .	The relations of the Services to the new political structures.	384—392
IX	Sind . . .	The question of constituting Sind as a separate Province.	393—397

5. It will be seen that the first six of the Lord Chancellor's Heads were referred to the Federal Structure sub-Committee, Heads 7 and 8 to the Provincial Constitution sub-Committee, Head 9 to the Minorities sub-Committee and Head 11 (so far as it is separable from Heads 6 and 12) to the Defence sub-Committee. It was agreed that Head 10 should also be examined by the Federal Structure sub-Committee. Lack of time prevented this being done, but the Lord Chancellor made a statement on the subject in the closing Plenary Sessions (*see* page 398). Head 12 was not formally discussed as a separate subject by the Federal Structure sub-Committee (or Provincial Constitution sub-Committee), but was considered in relation to the discussions which took place on Head 6.

It will also be seen that sub-Committees IV, V, VI, VIII and IX dealt with subjects outside the range of the original Federal Relations Committee.

6. The Committee of the Whole Conference, in remitting the above subjects to its sub-Committees, did not hold any previous discussion in Committee of the Whole on the subject matter so referred, except in the case of the question of the separation of Burma. The discussion in the Committee of the Whole which preceded the setting up of sub-Committee IV is contained in pages 176 to 186 of this Volume.

7. The Reports of the sub-Committees were received by the Committee of the Whole and noted by it after observations had been made on each. The Chairman gave a ruling on the procedure of the Committee of the Whole Conference with regard to the Reports of sub-Committees, namely, that the Committee would not proceed to pass the Reports as decisions of the Committee, but would note them as presented by the various sub-Committees; observations made on the sub-Committees' reports in the Committee of the Whole Conference were also to be noted and used for the guidance of those who would be finally responsible for taking account of the proceedings of the Conference.

The text of the Report of each sub-Committee, immediately followed by the proceedings in Committee of the Whole Conference when it was presented, is printed in the section of this volume comprised in pages 188 to 397.

8. The Conference in Plenary Session received and noted the Reports of the nine sub-Committees submitted by the Committee of the Whole Conference, with the comments thereon, and a final debate in Plenary Session took place on 16th and 19th Jan., 1931, ranging over the whole of the work of the Conference, at the close of which the Conference unanimously adopted the Resolution printed on page 473 accepting the Reports of the sub-Committees (and comments thereon in Committee of the Whole) as "material of the highest value for use in the framing of a constitution for India, embodying as they do a substantial measure of agreement on the main ground-plan".

9. The Prime Minister's closing speech on 19th January contained a declaration on behalf of His Majesty's Government. The full proceedings of the final Plenary Sessions are contained on pages 398 to 489.

10. As stated above, the opening session was held in public. The press were also admitted to the last session of the Conference, at which the Prime Minister's speech was made. Neither press nor public were admitted to other sessions, but information as to the proceedings was given to the press by the Information Officers of the Conference acting under the general control of a Committee, appointed by the Conference, consisting of Mr. Wedgwood Benn, Mr. Chintamani and Mr. Rushbrook Williams.

11. A supplementary Volume will be made available, in due course, containing proceedings in the sub-Committees and the memoranda circulated to the Conference or its Committees.

(The Reports of the sub-Committees, the Conference Resolution of 19th January, and the Prime Minister's closing speech—which are contained in this Volume—have already been presented to Parliament in the preliminary Command Paper Cmd. 3772 of 1931.)

27th January, 1931.

INDIAN ROUND TABLE CONFERENCE.

LIST OF DELEGATES.

BRITISH DELEGATIONS.

†THE RIGHT HON. J. RAMSAY MACDONALD, M.P.

‡THE RIGHT HON. LORD SANKEY, G.B.E.

THE RIGHT HON. WEDGWOOD BENN, D.S.O., D.F.C., M.P.

THE RIGHT HON. ARTHUR HENDERSON, M.P.

THE RIGHT HON. J. H. THOMAS, M.P.

SIR WILLIAM JOWITT, K.C., M.P.

MR. H. B. LEES SMITH, M.P.

THE RIGHT HON. EARL RUSSELL.

---

§THE RIGHT HON. EARL PEEL, G.B.E.

THE MOST HON. THE MARQUESS OF ZETLAND, G.C.S.I., G.C.I.E.

THE RIGHT HON. SIR SAMUEL HOARE, BART., G.B.E., C.M.G., M.P.

MAJOR THE HON. OLIVER STANLEY, M.C., M.P.

---

§THE MOST HON. THE MARQUESS OF READING, G.C.B., G.C.S.I., G.C.I.E., G.C.V.O.

THE MOST HON. THE MARQUESS OF LOTHIAN, C.H

SIR ROBERT HAMILTON, M.P.

MR. ISAAC FOOT, M.P.

INDIAN STATES DELEGATION.

COLONEL HIS HIGHNESS THE MAHARAJA OF ALWAR, G.C.S.I., G.C.I.E.

*HIS HIGHNESS THE MAHARAJA GAEKWAR OF BARODA, G.C.S.I., G.C.I.E.

§LIEUTENANT-COLONEL HIS HIGHNESS THE NAWAB OF BHOPAL, G.C.I.E., C.S.I., C.V.O.

§LIEUTENANT-GENERAL HIS HIGHNESS THE MAHARAJA OF BIKANER, G.C.S.I., G.C.I.E., G.C.V.O., G.B.E., K.C.B., A.D.C.

---

* Rao Bahadur Krishnama Chari, C.I.E., acted as a Delegate when H.H. the Maharaja of Gaekwar of Baroda was absent.

† Elected President of the Conference at Plenary Session of 12th Nov., 1930.

‡ Elected Deputy President of the Conference at Plenary Session of 17th Nov., 1930.

§ Elected "Chairmen" of the Conference at Plenary Session of 17th Nov., 1930.

Lieutenant-Colonel His Highness the Maharaj Rana of Dholpur, G.C.I.E., K.C.S.I., K.C.V.O.

Colonel His Highness the Maharaja of Jammu and Kashmir, G.C.I.E., K.C.V.O.

Lieutenant-Colonel His Highness the Maharaja of Nawanagar, G.C.S.I., G.B.E.

Major-General His Highness the Maharaja of Patiala, G.C.S.I., G.C.I.E., G.C.V.O., G.B.E., A.D.C.

His Highness the Maharaja of Rewa, G.C.I.E., K.C.S.I.

His Highness the Chief Sahib of Sangli, K.C.I.E.

Sir Prabhashankar Pattani, K.C.I.E.

Sir Manubhai Mehta, C.S.I.

Sardar Sahibzada Sultan Ahmed Khan, C.I.E.

Nawab Sir Muhammad Akbar Hydari.

Sir Mirza M. Ismail, C.I.E., O.B.E.

*Colonel K. N. Haksar, C.I.E.

BRITISH INDIA DELEGATION.

§His Highness the Aga Khan, G.C.S.I., G.C.I.E., G.C.V.O.

Sir C. P. Ramaswami Aiyar, K.C.I.E.

†Maulana Muhammad Ali.

Dr. B. R. Ambedkar.

U Aung Thin, K.S.M.

U Ba Pe

Srijut Chandradhar Barooah.

Mr. J. N. Basu.

Sir Shah Nawaz Khan Bhutto, C.I.E., O.B.E.

Sir Hubert Carr.

Mr. C. Y. Chintamani.

Captain Nawab Sir Ahmad Said Khan, of Chhitari, K.C.I.E., M.B.E.

Maharajadhiraja of Darbhanga.

Captain Raja Sher Muhammad Khan.

Mr. Fazl-ul-Huq.

Mr. M. M. Ohn Ghine.

Mr. A. H. Ghuznavi.

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* Also acted as "Secretary General" to the Indian States Delegation.

† Died 4th January 1931.

§ Elected "Chairman" of the Conference at Plenary Session of 17th Nov., 1930.

Lieut.-Col. H. A. J. Gidney, I.M.S. (Retired).
Sir O. de Glanville, C.I.E., O.B.E.
Sir Ghulam Hussain Hidayatullah.
Khan Bahadur Hafiz Hidayat Husain.
Mr. B. V. Jadhav.
Mr. M. R. Jayakar.
Sir Cowasji Jehangir, K.C.I.E., O.B.E.
Mr. M. A. Jinnah.
Mr. T. F. Gavin Jones.
Mr. N. M. Joshi.
Dr. Narendra Nath Law.
Sir B. N. Mitra, K.C.S.I., K.C.I.E., C.B.E.
Sir P. C. Mitter, C.I.E.
Mr. H. P. Mody.
Dr. B. S. Moonje.
Diwan Bahadur Ramaswami Mudaliyar.
Diwan Bahadur Raja Narendra Nath.
Rao Bahadur A. T. Pannir Selvam.
Raja of Parlakimedi.
Rao Bahadur Sir A. P. Patro.
Mr. K. T. Paul, O.B.E.
Nawab Sir Abdul Qaiyum, K.C.I.E.
Diwan Bahadur M. Ramachandra Rao.
Mr. B. Shiva Rao.
Sir Sayed Sultan Ahmed.
Sir Tej Bahadur Sapru, K.C.S.I.
Sir Muhammad Shafi, K.C.S.I., C.I.E.
Sardar Sampuran Singh.
§The Right Hon. Srinivasa Sastri, C.H.
Sir Chimanlal Setalvad, K.C.I.E.
Raja Bahadur Kunwar Bisheshwar Dayal Seth.
Sir Phiroze Sethna, O.B.E.
Dr. Shafa'at Ahmad Khan.
Begum Shah Nawaz.
M. R. Ry. Rao Bahadur Srinivasan.
Mrs. Subbarayan
Mr. S. B. Tambe.
Sardar Sahib Sardar Ujjal Singh.

§ [illegible] "[illegible]" [illegible] the Conference at Plenary Session of 17th Nov., 1[illegible].

Sir C. E. Wood.

Mr. Zafrullah Khan.

OFFICIALS ATTENDING IN A CONSULTATIVE CAPACITY.

Sir W. M. H[illegible], G.C.I.E., K.C.S.I., I.C.S.

Sir C. A. Innes, K.C.S.I., C.I.E., I.C.S.

Sir A. C. MacWatters, C.I.E., I.C.S.

Mr. H. G. Haig, C.S.I., C.I.E., I.C.S.

Mr. L. W. Reynolds, C.S.I., C.I.E., M.C.

INDIAN STATES ADVISERS.

Advisers to the Delegate for Hyderabad.

Lieut.-Col. Sir R[illegible], C.I.E., O.B.E.

Nawab Mahdi Yar Jung.

Sir Ahmad H[illegible], K.C.I.E., C.S.I.

Sir Reginald Glancy, K.C.I.E., C.S.I.

Adviser to the Delegate for the S. Indian States.

Diwan Bahadur T. Raghaviah, C.S.I.

[illegible] Baroda.

Rao Bahadur Krishnama Chari, C.I.E.

Adviser for the Orissa States.

Mr. K. C. Neogy, M.L.A.

[illegible]

Mr. L. F. Rushbrook Williams, C.B.E.

Qazi Ali Haidar Abbasi.

Sirdar Jarmani Das, O.B.E.

Diwan Bahadur A. B. Latthe.

Rao Sahib D. A. Surve.

SECRETARIATS.

Government.

Mr. S. K. Brown, C.V.O.
Mr. V. Dawson, C.I.E.
Mr. K. S. Fitze, I.C.S.
Mr. W. H. Lewis, C.I.E., I.C.S.

Conservative.

Mr. R. J. Shepherd.

Liberal.

Prof. J. Coatman, C.I.E.

Indian States.

Mr. M. Pickthall.
Mr. K. M. Panikkar.
Mr. N. S. Subba Rao.

British India Delegation.

Sir Geoffrey Corbett, K.B.E., C.I.E., I.C.S.
Mr. A. Latifi, O.B.E., I.C.S.
Mr. G. S. Bajpai, C.I.E., C.B.E., I.C.S.

SECRETARIAT-GENERAL.

Mr. R. H. A. Carter, C.B., *Secretary-General.*

Khan Bahadur Mian Abdul Aziz, C.B.E., Punjab C.S.	*Secretaries.*
Mr. W. D. Croft.	
Mr. G. E. J. Gent, D.S.O., M.C.	
Mr. B. G. Holdsworth, I.C.S.	
Mr. R. F. Mudie, O.B.E., I.C.S.	
Mr. G. S. Rajadhyaksha, I.C.S.	

PUBLICITY OFFICERS.

Mr. Hugh MacGregor.
Mr. G. F. Steward, C.B.E.
Mr. A. H. Joyce.

INDIAN ROUND TABLE CONFERENCE.

Opening Speeches, 12th November, 1930.

SPEECH DELIVERED BY HIS MAJESTY THE KING-EMPEROR.

It affords Me much satisfaction to welcome in the Capital of My Empire the representatives of the Princes, Chiefs and People of India, and to inaugurate their Conference with My Ministers and with representatives of the other Parties composing the Parliament in whose precincts we are assembled.

More than once the Sovereign has summoned historic assemblies on the soil of India, but never before have British and Indian Statesmen and Rulers of Indian States met, as you now meet, in one place and round one table, to discuss the future system of government for India and seek agreement for the guidance of My Parliament as to the foundations upon which it must stand.

Nearly ten years ago, in a message to My Indian Legislature, I dwelt upon the significance of its establishment in the constitutional progress of India. Ten years is but a brief span in the life of any Nation, but this decade has witnessed, not only in India but throughout all the Nations forming the British Commonwealth, a quickening and growth in ideals and aspirations of Nationhood which defy the customary measurement of time. It should therefore be no matter of surprise to the men of this generation that, as was then contemplated, it should have become necessary to estimate and review the results of what was begun ten years ago and to make further provision for the future. Such a review has been lately carried out by the Statutory Commission appointed by Me for that purpose and you will have before you the outcome of their labours, together with other contributions which have been or can be made to the solution of the great problem confronting you.

No words of Mine are needed to bring home to you the momentous character of the task to which you have set your hands. Each one of you will, with Me, be profoundly conscious how much depends, for the whole of the British Commonwealth, on the issue of your consultations. This community of interest leads Me to count it as of happy augury that there should be present to-day the representatives of My Governments in all the Sister States of that Commonwealth.

I shall follow the course of your proceedings with the closest and most sympathetic interest, not indeed without anxiety but with a greater confidence. The material conditions which surround the lives of My subjects in India affect Me nearly, and will be ever present in your thoughts during your forthcoming deliberations.

My first duty as Chairman of this Conference is to ask your consent—and I know it will be forthcoming in full measure—that I should convey our humble duty to His Majesty, and an expression of the loyal gratitude with which we have welcomed his gracious presence here and of the inspiration which his words have given us. I know also that you would have me include in your message our loyal and grateful appreciation of the kindly solicitude of Her Majesty the Queen which my Indian friends have been privileged to experience already. Nor are we unmindful that it is to His Majesty's gracious permission that we owe the honour of holding our meeting in this Chamber to-day and hereafter in the Royal Palace of St. James's. We are deeply sensible of these signal marks of Their Majesties' sympathy and favour.

I am very conscious of the responsibility you have put upon me. But responsibility lies heavily on us all at this Conference. For we are now at the very birth of a new history. The declarations made by British Sovereigns and Statesmen from time to time that Great Britain's work in India was to prepare her for self-government have been plain. If some say that they have been applied with woeful tardiness, I reply that no permanent evolution has seemed to anyone going through it to be anything but tardy. I am never disturbed by people who say I have not fulfilled my pledges, provided I *am fulfilling* them. We have met to try and register by agreement a recognition of the fact that India has reached a distinctive point in her constitutional evolution. Whatever that agreement may be, there will be some who will say that it is not good enough or that it goes too far. Let them say so. We must boldly come out and appeal to an intelligent and informed public opinion. The men who co-operate are the pioneers of progress. Civil disorder is the way of reaction. It destroys the social mentality from which all constitutional development derives its source and upon which all stable internal administration is based.

The task that lies ahead of us is beset by difficulties for the solution of which the past affords no ready-made guide; there are stubborn diversities of view that have still to be brought together, and conflicting interests that have hitherto proved irreconcilable.

Could any issues be more momentous than those we are facing this morning? Could any, at the same time, be more enticing to men who love to make the rough places smooth? We must bring to our task all the resources of mutual trust, of practical sagacity, of statesmanship, which we can command.

This is not the time even for reciting, to say nothing of prejudging, our problems. We shall meet them as we proceed. Let us face them as men determined to surmount them. Why not? What problems of growth and of development in liberty and institutions have our peoples not faced, and united we remain, in spite of all our diversities, because of our skill in harmonising differences by reasonable mutual [illegible]. Proof of that is that very goodly array of distinguished Prime Ministers who have been with us for the last few weeks consulting about Dominion affairs.

His Majesty's presence at the opening of our deliberations enabled us to understand both the strength and the flexibility of the bond which binds our whole Commonwealth of Nations together in loyalty and devotion to the Crown. The attendance of representatives of the Dominion Governments is an earnest of the interest and goodwill with which the sister-States in the Commonwealth of Nations will follow our labours. The association of the Princes for the first time in joint conclave with representatives of the people of British India is symbolical of the gradual moulding together of India into one whole. And when I turn to the representatives of British India I am mindful, it is true, of India's different communities and languages and interests, but I am reminded still more of the quickening and unifying influences which have grown up irresistibly from her contact with Great Britain, and also, and still deeper, of the aspirations for a united India which were in the minds of her philosophers and her rulers before the first English trader set foot on her shores. Nor is it without significance that we who, though not of India, also seek India's honour, are drawn from all three Parties in this Parliament, on the inter-play of whose rivalries, no less than ideals, is built up our British system of Government. But apart from these things, surely, the simple fact that we have come here to sit at one table with the set and sole purpose of India's advancement within the companionship of the Commonwealth is in itself an undeniable sign of progress towards that end, and also an inspiring challenge to reach agreement.

We must now begin our labours. Things have been said in the past, whether in anger, in blindness or for mischief, which we had better forget at this table. Whatever be the story that is to be written of this Conference, be assured a story *will* be written. Let us strive to make it worthy of the best political genius of our peoples and to add by it to the respect paid by the world to both our nations.

SPEECH DELIVERED BY HIS HIGHNESS THE MAHARAJA GAEKWAR OF BARODA.

On this momentous occasion in the history of India and the Empire, it is my privilege to address to you a few words on behalf of the Indian States Delegation here assembled to take part in the Conference which His Majesty the King-Emperor has to-day been graciously pleased to open.

We are deeply beholden to His Majesty to whom I beg you, Mr. Prime Minister, to convey our sentiments of Loyalty to his Throne and Person.

These historic precincts have witnessed many Conferences fraught with import; but I doubt if ever before they have been the scene of such a one as this, when the issues at stake involve the prosperity and contentment of India's millions and the greatness of the British Empire.

By the recognition in generous measure of the aspirations of the Princes and Peoples of India, and by that alone, can realisation

be given to the noble words of Victoria, the great Queen, as expressed in a famous Proclamation:—

They are these:—

"In their prosperity will be Our strength, in their contentment Our security; in their gratitude Our best reward."

May we all labour whole-heartedly, with mutual trust and good-will, for the attainment of so great an end.

SPEECH DELIVERED BY HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR (Pro-Chancellor of the Chamber of Princes).

I must express our deep gratitude to His Most Gracious Majesty for the cordial welcome tendered to us, and I pray that Providence may grant to us the vision and the will to realise the hopes expressed in those inspiring words uttered this morning by our beloved King-Emperor.

This is the first occasion on which the Princes of India in person sit at the Conference Table along with representatives of British India and of His Majesty's Government to discuss the political future of India. Allied by treaty with the British Crown and within our territories independent rulers, we have come here with a full sense of responsibility to our States and to all India. As allies of Britain we stand solidly by the British connexion. As Indians and loyal to the Land whence we derive our birth and infant nurture, we stand as solidly as the rest of our countrymen for our Land's enjoyment of a position of honour and equality in the British Commonwealth of Nations. Our desire to co-operate to the best of our ability with all sections of this Conference is a genuine desire; so too is genuine our determination to base our co-operation upon the realities of the present situation.

Neither England nor India can afford to see this Conference end in failure. We must approach our task resolved to succeed and to overcome all difficulties. We all will have to exercise much patience, tact and forbearance; we must be inspired by mutual understanding and good-will. We needs must give and take. If we succeed, it is England no less than India which gains. If we fail, it is India no less than England which loses. We are not assembled to dictate or accept terms; we are met together to adjust mutual interests for the common benefit.

The task confronting this Conference is a gigantic one. In the case of no people would such an aim as ours be easy of accomplishment. In the case of India, the complexity of the factors in unique. But we believe that difficulties exist only to be surmounted, and, by the Grace of God, with good-will and sympathy on both sides, surmounted they shall be.

With the noble words of the King-Emperor's speech still ringing in our ears, we Princes affirm that this Conference shall not fail through any fault of ours.

all the vision of India as a whole must shine brightly in our hearts, and her strength and prosperity must be the sovereign consideration governing all our plans. You will hear, Sir, many claims and counsels, and some of them may be in partial conflict. Our united prayer is that somehow, through the magic of your personality, these discordant claims will be reconciled and these fragmentary counsels may be gathered into one complete scheme so that this table, whatever its exact physical shape, may be hereafter remembered in history as the table of rounded wisdom and statesmanship. Through all the clouds of prejudice and misunderstanding that darken the problem two statements of policy shine like bright stars by whose light we can guide ourselves. They both have the indisputable authority of His Majesty's Government. One was made by His Excellency the Viceroy just a year ago: it was to the effect that the natural issue of India's constitutional progress, as contemplated in the declaration of August, 1917, is the attainment of Dominion Status. The other was made by him in July this year. It promised India the enjoyment of as large a degree of management of her own affairs as could be shown to be compatible with the necessity of making provision for those matters in regard to which she was not yet in a position to assume responsibility. Our allotted task is to interpret these statements liberally and translate them courageously into concrete proposals for the benefit of India and the increased glory of the Commonwealth.

SPEECH DELIVERED BY MR. M. A. JINNAH.

May I, at the very outset, say that we appreciate greatly the signal marks of sympathy and kindness on the part of Their Majesties referred to by you and I am sure we all consent in full measure that you should convey our grateful acknowledgments as proposed by you.

This is not an occasion for long speeches nor can I here at this moment discuss some of the vital issues which are uppermost in our minds; but every one here will agree with me when I say that it is very fortunate indeed that a Statesman of your calibre and experience, Sir, has honoured us by agreeing to preside over our deliberations, notwithstanding your other multifarious and responsible duties; and I sincerely pray that your expression of confidence in the ultimate success of this Conference may prove true.

I am glad, Mr. President, that you referred to the fact that "the declarations made by British Sovereigns and Statesmen from time to time that Great Britain's work in India was to prepare her for self government have been plain", and may I point out further, that the announcement made as recently as 31st October, 1929, by His Excellency the Viceroy on behalf of His Majesty's Government, declared that in their judgment it was implicit in the Declaration of 1917 that the natural issue of India's constitutional progress as there contemplated is the attainment of Dominion Status.

But I must emphasise that India now expects translation and fulfilment of these declarations into action.

Hardly ever was a more momentous matter of grave issue in the history of our two nations than the one we are called upon to face to-day and upon the solution of which hangs the fate of nearly one-fifth of the population of the world.

We welcome the association of the Princes with the representatives of the people of British India and I share the hope with you, Mr. Prime Minister, that all parties and interests and communities concerned will bring to bear upon the task before us, to use your words, all the resources of mutual trust, practical sagacity and statesmanship which they can command.

In conclusion, I must express my pleasure at the presence of the Dominion Prime Ministers and Representatives. I am glad that they are here to witness the birth of a new Dominion of India which would be ready to march along with them within the British Commonwealth of Nations.

SPEECH DELIVERED BY MR. BA PE.

The Burmese Delegates are deeply sensible of the signal honour which has been done to Burma by the selection of a Burman to speak on this momentous and historic occasion. It is an honour which will cause genuine pleasure and satisfaction to our countrymen, and on their behalf I wish to say how grateful we are to His Majesty The King for the gracious words he has spoken to us to-day; and I humbly beg leave to assure him of our loyalty to him and his Royal Consort. It has caused us heartfelt satisfaction to see him restored to health and we pray that he may live long to preside over the destinies of this great Empire.

The people of Burma are very grateful to His Majesty's Government for arranging this Round Table Conference, and we believe that a frank and full and friendly discussion can only result in good, both for the people of Britain and of Burma. We believe that friendly discussion will remove obstacles and solve problems that, viewed from one standpoint, only appear insurmountable or insoluble.

We desire to thank His Majesty's Government, the political Parties and leaders and the people of England for the hearty welcome they have given to us and for the generous hospitality they have extended to us.

The case of Burma is in some ways a special one, but we bring to this Conference in the fullest measure goodwill and co-operation, confident that the result of our joint deliberations will promote the political progress of Burma and satisfy the aspirations of its people and increase their prosperity and happiness. We have come to the Conference with high hopes that, if I may be permitted to adopt the words that you, Sir, used on another occasion only two days ago, our liberty will be broadened, so that we may live with you under the same Crown, enjoying that freedom in self-government which is essential for national self respect and contentment. As Burmans we love Burma our country. We believe in it and in the

greatness that lies before it. We look to England with friendship and affection and hope that we shall soon take our place with other Dominions as equal partners in the great British Empire.

Chairman: Your Highness, My Lords, Ladies and Gentlemen: We have a little piece of business to do which will only keep us in this sitting for a few minutes. I understand that, as a result of the exchange of views privately, an agreement has been come to which enables me to propose this resolution:—

> "That a Committee to advise the Conference on the conduct of business shall be constituted, composed of the following sixteen Delegates, each of whom shall have the right to nominate another Delegate to take his place in his absence:
>
> His Highness The Maharaja of Alwar.
>
> Mr. Benn.
>
> His Highness The Maharaja of Bikaner.
>
> Sir Hubert Carr.
>
> Colonel Haksar.
>
> Sir Samuel Hoare.
>
> Sir Akbar Hydari.
>
> Sir Mirza Muhammad Ismail.
>
> Mr. Jayakar.
>
> Mr. Jinnah.
>
> Sir Bhupendra Nath Mitra.
>
> The Marquess of Reading.
>
> Sir Tej Bahadur Sapru.
>
> Sir Muhammad Shafi.
>
> Mr. Srinivasa Sastri.
>
> Sardar Sahib Ujjal Singh."

The resolution was then put and carried unanimously.

Chairman: That resolution having been adopted, the Session will now adjourn. The first sitting of the Committee that has just been appointed will be held at 3-30 this afternoon at St. James's Palace, and this Conference itself is adjourned until Monday, the 17th November, at 10-30 A.M., at St. James's Palace.

THE GENERAL DISCUSSION.*

Sir Tej Bahadur Sapru: Mr. Prime Minister, the responsibility which has been cast upon my shoulders in presenting the case of my country to you is very great, but I will beg some patience on your part, for the subject is great and complicated. It involves many delicate issues affecting not only India but the relations of India to England.

Let me tell you at the outset that we are here to add, if we can, a bright chapter to the history of the relations of England and India.

Mr. Prime Minister, you and other British statesmen have, in the long course of your political experience and duties, been accustomed to preside over, or to be associated with, so many Conferences of an international character that it ill becomes a humble politician like me from across the seas to tell you that so many hopes are bound up with the success of this Conference. An anxious, restless India is watching you. May I also add that the eyes of the whole world are on you. Not only are we Indians on our trial, but, if I may respectfully say so, and if I may beg you not to misunderstand me, the whole of British statesmanship is on its trial.

This is absolutely the first time in the history of the connection of India with England that such a big gesture has been made by England towards India. It is a gesture which means that Indians and Englishmen should sit round the table, not to enter merely into a clash of ideas, but, if possible, to evolve a constitution for the country, which may settle our difficulties for all time to come, and which may enable us to settle down to constructive work.

Mr. Chairman, I will only ask you to bear with me when I remind you of the circumstances under which this Conference has been called. Last year—I believe it was on the 31st October, 1929—His Excellency Lord Irwin, for whom, let me tell you frankly, I have a genuine admiration, a Viceroy who is very much misunderstood, to my surprise, in his country, and let me say also in my country, but whose heart is with us, I feel assured about it—made that famous announcement. The secret history as to how that announcement came to be made is yet to be written, but we must take that announcement as an accomplished fact. You pledged yourself there to certain ideas, to a certain policy, and this Conference has been convened to implement that policy. In his speech, which Lord Irwin delivered on the 9th July last to the Indian Legislature, he again referred to that matter in these words, that the purpose of this Conference was that the spokesmen of Great Britain and India would take free counsel together upon the measures which his Government would later present to Parliament, and if I may be permitted to refer to a letter which Lord Irwin addressed to my distinguished friend,

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* *See* paragraph 2 of Introductory Note (p. 1).

Mr. Jayakar, and myself when we started on a mission which unfortunately has failed, His Excellency wrote as follows:

> "It remains my earnest desire, as it is that of my Government and, I have no doubt, also that of His Majesty's Government to do everything that we can in our respective spheres to assist the people of India to obtain as large a degree of management of their own affairs as can be shown to be consistent with making provision for those matters in regard to which they are not at present in a position to assume responsibility. What these measures may be, and what provisions may be made for them, will engage the attention of the Conference; but I have never believed that, with mutual confidence on both sides, it should be impossible to reach agreement."

It is in that spirit and for that purpose that we have come: and let me tell you, Sir, that we have come here across the seas in the midst of the gibes and ridicule of our own countrymen. We have already been described, in our country, as traitors to the cause. We have come here in the midst of that opposition, but we have brought with us a determination to argue with you, to discuss with you frankly and freely, to make our contribution to the solution of the problem, to make ourselves heard, but also to hear you, to invite you to make your contribution, so that in the end we may say that those who have already forecast the future were really false prophets.

It is in that spirit that I wish to present my case before you. Let me tell you that no greater mistake can be made by British statesmen and by my British friends—and I claim that I do possess some friends among the British—than to imagine that India stands to-day where she did even ten years ago. I think the idea of the progress that India has made during the last ten years could not have been better described than in the gracious words of our Sovereign on that opening day of this Conference. We have travelled a very long distance. Let that be realised. Let this time-worn theory that we are only a handful of men be abolished for good. Mr. Jayakar and I, during the months of July, August and September, were constantly travelling from one end of the country to the other, and we saw with our own eyes, we heard with our own ears, sights and cries which it would have been impossible for me or for him to imagine. When I read in the English Press descriptions of the situation in India my heart sinks. I am not making reference to these things with the object of frightening you. I am not holding out any threat. I am simply stating facts. I make a confession, an absolutely honest confession, that, so far as I am concerned, I have realised from the beginning the grave dangers of the Civil Disobedience movement to my country. But while I have realised the grave dangers of that movement, I have also realised the importance of placing a true interpretation on what it really represents. I beg of you on this occasion to rise superior to the small administrative view of this question and to take a broad and statesmen-like view and measure of the unrest that you find in

India. I beg of you to think like this. Never before in the history of India, never before even in the Mogul period of history, has India been governed by agents and sub-agents. The Moguls or the Muhammadans might have come as invaders, but they settled down and became men of the same country, became part and parcel of our social system. What is the system that you have established? It is the system of Parliamentary Sovereignty, sovereignty exercised by some 600 odd members of Parliament on behalf of a population of forty-five millions—you will correct me I hope if I have got the wrong figures of that population—and you are attempting to exercise that sovereignty over 320 million people living 6,000 miles away from the centre of your political power. I speak with the utmost deference in the presence of the Secretary of State, but I do say that the ordinary Member of Parliament has neither the necessary time, nor the necessary capacity, nor the necessary vision to understand the mind or the feelings of India, and, if Mr. Wedgwood Benn will excuse me, I will say that the Secretary of State, however distinguished he may be, is one of those 600 men. Necessarily he has to depend upon the advice of men in the India Office. Let me tell you quite frankly that, while I have great admiration for the Civil Service—whether it is your Civil Service or the Civil Service of my own country—I cannot forget that while Civil Servants can be very good servants they are very bad masters. Therefore I say that ultimately it comes down not to Parliamentary Sovereignty, but to the sovereignty of half a dozen men in England and half a dozen men in India. That is how the theory of Parliamentary Sovereignty works out. Can you expect a country like mine, brought into contact with Western ideas, vibrating with the new movement of the East, to remain content with that sort of government? Certainly not. I say, therefore, that it is perfectly natural that we should seek freedom, freedom within our own borders as an integral part of the British Commonwealth of Nations. You will ask me what is it exactly that you want. When I have talked to my British friends—and some of them are very highly placed statesmen—when I have used in the course of conversation that forbidden phrase "Dominion Status", some of them have asked me "What does it all mean?" I have been asked that question in fact by one of your biggest statesmen—I shall not name him—in private. When we talk about Dominion Status the average Englishman stands up in the middle of the road and asks "What does it all mean?" I would respectfully ask whether in 1865, when you had to tackle the question of Canada, or in 1900, when you had to tackle the problem of Australia, or in 1909, when you were face to face with the problem of South Africa after that terrible war, whether the average Englishman stood up in the middle of the road and asked "What does it all mean?" When you ask me what are the implications of Dominion Status, I am ready to give an answer to that question, but let me tell you what we want before I proceed further. Avoiding that expression which is unpleasant to some ears, I will put my case like this: India wants, and is determined to achieve, a status of equality—equality with the other three members of the

British Commonwealth, an equality which will give it a Government not merely responsive to, but responsible to the popular voice. Speaking for myself, I say—and I say it with all the conviction I possess, conviction based not merely on theory but on experience derived, if I may respectfully say so, from my official life, however brief it may have been—that it will not do for you to take a provincial view and offer provincial autonomy or anything of that kind, unless you couple with it a decided and clear change in the constitution of the Central Government. You must make that responsible to the Legislature. At this stage you may ask me, "Assuming that India wants a responsible Central Government, what is going to be the relation of that responsible Central Government to the Provinces, and what is going to be the relation of the responsible Central Government to the States?" That at once gives rise to the question whether our constitution should be of a federal character.

Sir, before I express any views may I make a very respectful appeal to some of my illustrious countrymen who are patriots first and Princes afterwards? It will not do for Their Highnesses—and I know that they are far from conceiving such a thing—to say that they are here only for the protection of their rights. Let me respectfully tell them that they are Indians first and Indian Princes next, and that they owe as much duty to the common Motherland as we do. I am not one of those who have a horror of Indian Princes. I make that confession publicly. I think the Indian Prince is every inch as patriotic as any one of us, and I make an earnest appeal to them not to confine their vision merely to what is called "One-third India." I ask them to say whether at any time in history India was so arbitrarily divided as it is now geographically—British India or Indian India. I say we are one India. Let them move forward with the vision of an India which will be one single whole, each part of which may be autonomous and may enjoy absolute independence within its own borders, regulated by proper relations with the rest. I therefore ask them to come forth on this occasion and say whether they are prepared to join an All-India Federation. I express no definite opinion; I will not commit this Conference to any particular issue on this point. These issues have to be examined carefully and minutely. I do suggest, however, that, so far as we are concerned, we have a vision of a united India, and not merely of an India divided into so many compartments. I have no doubt that when H. H. The Maharaja of Bikaner addresses this Conference he will advert to these questions and that he will take us now into his confidence.

It seems to me that if you agree that there has got to be responsibility in the Centre, it is inevitable that you must ask yourself the question unitary or federal. Speaking for myself—and I speak in regard to this matter in my individual capacity—I am a very strong believer in the federal form of government. I believe that therein lies the solution of the difficulty and the salvation of India; and if I were to express my opinion freely I would welcome the

[illegible] of the Indian States with British India mainly for three reasons. I say that they will furnish a steadying factor in our constitution. I further say that the process of [illegible] will be [illegible]. I lastly say that, in regard to matters of defence, they will furnish a practical experience which is yet wanting in British India.

For all these reasons I invite them to join this bigger Federation. The details of that have to be worked out. They were not present to the mind of the Government of India when they wrote their Despatch. The Government of India in their Despatch vaguely speak of a far-off distant Federation. With us it is a real live issue now. If we can come to some solution of that, I frankly [illegible] that nothing better can be achieved at this Conference.

Having said that much, if you will permit me, I will now turn to the question of the form of government. I may be reminded by some of my friends that an absolutely unrestricted responsible government at the Centre is at the present moment an impossibility. I may be reminded that there is the question of law and order involved. I may be reminded that there are European interests involved; that there is the entire system of commerce involved; that there is the [illegible], which is the basis of all our [illegible], involved. My answer is this. If these are difficulties, by all means face them; [illegible] for them. But you ought not, and you cannot, treat them as insurmountable difficulties—difficulties which make it impossible for you to say "No, gentlemen, we shall not admit your claim to responsibility at the Centre, because these are difficulties for which our combined statesmanship is unable to find any solution." I do not want my friends of the British Delegations to take that position. No one can be more interested in the maintenance of law and order than we Indians. I admit there may be difficulties; but what has been your history during the last 25 years ever since the partition of Bengal? Every five years there has sprung up an agitation of an acute character, and we have had—and by "we" I mean the Europeans and the Indians—either to resort to extraordinary powers or to shut up thousands of men, and to put up with grave breaches of the law. Is this what you call the maintenance of law and order? Surely no Indian Minister could have made graver blunders than have been made in dealing with a situation of this character. I do say that that is a position which has got to be fairly faced, and you will never be able to maintain law and order so long as you do not satisfy political aspirations, so long as the question of minorities is not settled, so long as the untouchables and the Depressed Classes do not feel they have a definite position of honourable equality. Solve these problems and then the whole problem of law and order becomes very much simpler.

I come now to commerce. What is the trouble about commerce? I am quite aware that there is a very large amount of foreign capital invested in India, but let me tell you that I am [illegible] and I believe there is not a single man here—who

would like to have any expropriatory legislation. We do not want to rob the Europeans of their capital. On the contrary, we are most anxious that our friends the Europeans, who have settled down in India or who carry on their business there, should feel that they have the same rights and privileges which genuine born Indians have. They are quite welcome to suggest any safeguards for their rights and interests, and we shall be more than willing to meet them.

You talk of finance, Sir, as being an obstacle, and you talk of the absence of a Reserve Bank. My answer to that is, by all means establish a Reserve Bank—a Bank based not on a political basis, but on a purely financial and economic basis. When we know that the constitution is going to be ours, that the government is going to be ours, why should we adopt a *non-possumus* attitude?

It seems to me that there is not very much force in the argument that the credit of India will disappear in the London market if finance comes into Indian hands. I know of instances in which private individuals have raised money in London. I know that your country has advanced big loans to small countries which are not within your Empire. Surely after 150 years of association with Great Britain, after having enjoyed a system of government which has established stability in the country, do you mean to say that the credit of India in the London market will disappear simply because our finances pass into other hands? Did you ever raise this question in the case of other countries? I therefore ask you, if you feel that there is any real genuine difficulty with regard to these matters, please do not use them as obstacles in our way but as difficulties to be surmounted.

I now come to the question of the Army. May I remind you of a very striking speech which the late Mr. Montagu—for whom every one of us here has not merely respect but a deep, genuine affection—in which he said "Having kept Indians out of commissioned ranks for 70 or 80 years, having deprived them of the opportunity to build up their own Army and to receive training, does it in fairness lie in your mouth to say now 'India must not get self-government because it cannot defend its own borders; it cannot maintain its own peace'?" The argument is neither fair nor, from a practical point of view, can it be maintained. As practical politicians, we realise that there is a difficulty about the Army. We realise that we have got to train a sufficient number of our men, and we have to be patient about that; but all we say is "Give us the opportunity to train our own men; give us the freedom to establish institutions". So far as your Army is concerned, by all means keep it in the hands of the Viceroy. Let him exercise control over the Army through the Commander-in-Chief or through a Minister whom he may appoint, and we on our part are willing to provide the funds and to agree to statutory charges in respect of the Army. These are matters which have got to be finally adjusted and examined. I have been told privately, and I have read it in documents—and it causes me some despair—that no British

Minister will agree to transfer the British Army to the control of Indian Ministers. That question to my mind is not of immediate importance, but I do hope that people who talk like that do not mean to imply that no British officer will be willing to serve under any Indian fellow subject. At the present moment it so happens and it has happened repeatedly during the last few years—that Indians hold the highest offices under the Crown, and I have not yet known a single instance in which a member of the Indian Civil Service or of any other Service has declined to take orders from his Indian superior on the ground that he is an Indian. I appeal to my late chief, Lord Reading. I had the honour at one time, if I may be permitted to say so, to be a Member of his Government, and I appeal to him to say whether the relations between the European Members of the Executive Council and the Indian Members of the Executive Council on the one hand, and between the Indian Members of the Executive Council and the Secretaries, most of whom were members of the Indian Civil Service, were cordial or otherwise. I should like to refer to a remarkable case which exists in India at the present moment. In Lahore the Chief Justice of the High Court happens to be a distinguished countryman of mine, Sir S. Lall, one of the most striking personalities in India. I have never heard a single Judge of the High Court say that he feels it a matter of disgrace that he should be presided over by an Indian Chief Justice.

I say, therefore, let us put it on the practical ground, but do not introduce the racial element into it. After all, the point of view that we take is this: You and we are subjects of the same King-Emperor; you and we belong to the same Commonwealth of Nations; and there ought not to be any feeling of superiority or inferiority, because so long as there is that feeling of superiority or inferiority India can never be happy and can never be contented.

Let us deal with the problem of the Army, therefore, in the manner in which practical statesmanship requires it to be done; but do not say to us that, because of these obstacles, we ought to go back to our own countrymen and say the utmost that we have been able to achieve by going six thousand miles and by talking to British statesmen of all the three Parties, is provincial autonomy.

Let me ask you only one thing. I would make a personal appeal to Lord Reading on this matter, because I believe, if there is one man in this assembly who understands the constitution of India from the legal and political point of view, it is my late chief, Lord Reading. I would ask him to consider this. Do you really think that it will make for peace and harmonious action if you give the Provinces provincial autonomy, which means responsible government and on the top of that have an irresponsible Central Government? Quite apart from questions of sentiment, quite apart from questions of a political character, I say that that machinery will break down in the course of a week. It will give rise to so many deadlocks, it will cause so many occasions of friction, that the machinery will break down.

of British India who are gathered round this ancient hall—refuse to be made fearful by the difficulties ahead. Rather I find in them an inspiration to put forth the uttermost that is in me, in a spirit of confidence and of courage. The very immensity of the work makes it worth doing well.

His Majesty the King-Emperor was pleased to remind us at the opening of this Conference that "the last decade has witnessed . . . a quickening and growth in ideals and aspirations of Nationhood which defy the customary measurements of time." I venture to appeal to you, Prime Minister and other Members of His Majesty's Government, and to our colleagues here representing the British Political Parties, to take their courage in both hands, to throw their hearts over the fence and follow boldly after, in the conviction that the greater our vision and determination, the greater is our success likely to be and the richer in consequence the harvest which we all—British India and the Indian States, and Great Britain and the Empire—shall reap. The ultimate attainment of Dominion Status under the Crown is inherent in the declaration of policy in 1917, and has more recently received authoritative endorsement. Let us hitch our wagon to that star, fully realising that our sister States did not reach the end at one stride, but after evolution based on experience, that in the intervening stage certain safeguards and guarantees are imperatively necessary for the security of the body politic and all parts thereof, but looking straight on. Nothing worth having can be attained without facing some risks. These were taken when Lord Durham laid the foundations for the proud position which Canada enjoys to-day as the premier Dominion in our great Commonwealth, to the mutual benefit of Great Britain and Canada. Similar risks were run when Sir Henry Campbell-Bannerman secured Dominion Status for South Africa with the happiest results, for which we had every reason to be grateful during the Great War only some five years later. I am equally convinced that if this Conference will but do the right thing by India, justly and magnanimously, my country will be a willing and contented partner in the Commonwealth. She will then be only too glad, side by side with the benefits of an honourable and independent position internally, to have all the power and resources of our mighty Empire always at her back. No half-hearted measures, no mere tinkering with the constitution will, I beg you to believe me, meet the situation. Many of our troubles in the past, and our troubles of the present, have arisen from these causes. Moreover, when, in response to irresistible demands, some constitutional advance was made, it was often too late; and it wore the appearance of having been conceded with a bad grace and wrested from the British Government. So there never was a time in the history of India and of the Empire when courage—courage in thought, in action, in constructive statesmanship—was more needed than now, when the great ambitions stirring India are struggling for constitutional expression. It is in the spirit of courage, confidence, imagination and liberal statesmanship, that I pray our deliberations may be guided.

From what standpoint then do we of the States approach this great task? I speak primarily for myself though I believe I shall have the general agreement of the Princes and the Ministers representing our Indian States at this historic gathering. We are here specially to present the policies of the Indian States. First and foremost in these policies is an unflinching and unqualified loyalty to the Throne and Person of His Majesty the King-Emperor of India. With the traditions of centuries of kingship and with the instincts and responsibilities of hereditary rule ingrained in our being, the kingly idea and the monarchical system are bone of our bone, flesh of our flesh. Even if we were tempted to waken from this principle which is impossible the thought of the intense devotion of the Imperial House of Windsor to the interests of India would rekindle our faith. Three notable and encouraging messages from His Majesty still ring in our ears—the earnest plea for sympathy in dealing with Indian problems made at the close of the Indian tour as Prince of Wales; the watchword of hope given six years later at Calcutta; and the pledge that the Princes' privileges, rights and dignities are inviolate and inviolable renewed when the Chamber of Princes was inaugurated. In this threefold spirit of sympathy, hope and justice, encouraged by the gracious words addressed to this Conference when it was inaugurated on Wednesday, we bend with the greater optimism to the work that lies before us.

Linked with this devotion to the Crown is an unfaltering adhesion to the British Commonwealth of Nations. The old idea of Empire as signifying "dominion over palm and pine" has vanished; the concept of Empire as overlordship based on force was never true and now has not even the pale shadow of reality. The unity of the Empire was signally vindicated in the Great War. The basis of that unity was reshaped at the Imperial Conference of 1926, when it was declared that the constituent States are autonomous communities within the British Empire, equal in status, in no way subordinate one to another in any respect of their domestic or external affairs, though united by a common allegiance to the Crown. Our attachment to the Empire or Commonwealth, call it what we may, is no mere matter of sentiment. It is based on the profound conviction that not only can each constituent State reach its full expression within these bonds and under the Crown, but a higher development, politically and economically, than it could attain as an isolated independent unit.

Thirdly, we stand without compromise on our treaty rights and all that they involve. These Treaties are with the British Crown, and obviously cannot be transferred to any other authority without our free agreement and assent. But do not conclude from this that I am one of those people who think that things never change. The States rightly maintain that Treaties concluded in honour and friendship are binding until they may be amended, and they can only be amended by negotiation and honourable agreement on both sides. Nor must it be concluded that we of the Indian States are under the belief that changes in British India will have no reflex action on ourselves and on our relations with our own subjects.

The territories of the Indian States are so interwoven with British India, so many of the more enterprising of our traders have business in the new commercial centres on the seaboard, which have grown up under the *Pax Britannica* and the opening of the Suez Canal, that we must be influenced by the development of political ideas and institutions beyond our frontiers. But this is our affair. We know our States and our people; we live amongst our own folk and are in the most intimate contact with their needs and possibilities. We shall know how and when to adjust our system to any changing conditions; but we will do it in our own time and in our own way, free from all external interference.

Is there anything in adherence to these principles either opposed to, or inconsistent with, the fullest development of India until she takes her equal place as a constituent State in the British Commonwealth with the other Dominions, welded into an indivisible whole under the ægis of the Crown? I say, "No—a thousand times No." It is sometimes said that there are two Indias, British India and the India under the rule of her own Princes. That is true in a political sense; but India is a single geographical unit and we are all members one of another. We, the Princes, are Indians—we have our roots deep down in her historic past, we are racy of the soil. Everything which tends to the honour and prosperity of India has for us a vital concern. Everything which retards her prosperity and shakes the stability of her institutions retards our own growth and lowers our stature. We claim that we are on the side of progress. One of the most welcome signs of the times is the material weakening of the idea that the Princes are opposed to the political growth of British India, and would range themselves—or allow themselves to be arrayed against the realisation of the just hopes of their fellow-countrymen in British India. We have, therefore, watched with the most sympathetic interest the rise of that passion for an equal position in the eyes of the world, expressed in the desire for Dominion Status, which is the dominant force amongst all thinking Indians to-day. Those of us who have grown grey under the responsibilities of rule and the practical work of administration—and thirty-two years have passed since I assumed the active governance of the State of Bikaner—deplore some of the expressions of this urge. We appreciate the fact that when contracts are broken under the impulse of revolutionary fervour, they have to be re-knit in blood and tears, and a weary path of suffering and loss trodden before society marches forward again. But behind these untoward developments, which we hope and pray is only a passing phase, lies the struggle for equality springing from our ancient culture and quickened by years of contact with the liberty-loving and constitutionally minded British people.

It is, I submit, our duty to bend our energies to the task of satisfying this righteous demand without impairing the majestic fabric of law. How best can this be achieved? My own conviction is that if we are to build well and truly, we must recognise that associated with this geographical unity India is a land of some diversity. Our starting point, therefore, must be a recognition of this diversity;

and freely and honestly given. Our duty is to contribute so far as we can to the evolution of a system of government which will lead to the close and effective association of the Indian States with British India whose constitution is to be hammered out here. At the same time the rights in certain directions of the Rulers of the Indian States arising from their Treaties require to be more precisely defined. The Princes and States naturally want to know where they stand. However sincerely desirous of making their contribution to a happy settlement, they will obviously find it difficult to enter into new bonds so long as their rights are left tottering on the shifting sands of expediency deemed paramount at the moment. I think I can best elucidate what is referred to by quoting from a speech I made in the Chamber of Princes on behalf of my Order, on the 27th February last:—

> "New-fangled theories about the ultimate powers regarding Paramountcy, and such matters, before the appointment of the Butler Committee, and the extravagant and exaggerated imperialist claims, inconsistent with the plighted word and good faith of Great Britain, or sound statesmanship, advanced on behalf of the Paramount Power—claims more wide, more trenchant, more insistent and, I respectfully submit, based on varied and not infrequently untenable grounds and opposed to constitutional and historical facts and to the provisions of our Treaties and other Engagements, and in direct contradiction of the solemn and clear pledges and assurances in the famous gracious Proclamation of Queen Victoria, repeatedly reiterated and affirmed by successive British Sovereigns in numerous Proclamations—have not helped to ease the situation or to allay the anxieties of the States or their Rulers, Governments or people."

The Princes and States fortified by the legal opinion obtained from some of the most eminent Counsel in Great Britain have found themselves unable particularly to accept such claims on the principles enunciated in this connection by the Indian States Committee, and have already taken up the matter with the Viceroy and British Government. Starting with the basic recognition that our Treaty Rights exist and must be respected; that they are with the Crown and cannot be transferred to any other authority without our agreement; and that they can be modified only with our free assent; three developments of the existing administrative machinery are essential for the smooth working of the new system, and indeed of any system: It is an open matter of complaint that our Treaty Rights have been infringed. I need not stress this point, for it has been publicly admitted by no less an authority than the Viceroy and Governor-General of India that the Treaty Rights of the States have been encroached upon, and that in some cases an arbitrary body of usage and political practice has come into being. The time has passed when issues of this importance can be decided *ex parte* by any government. We therefore attach the utmost importance to the establishment of a Supreme Court, with full powers to

arbitration and adjudication on all disputes of a justiciable nature as to our rights and obligations guaranteed under our Treaties. This is another point which I need not labour, for it is a principle to which the leaders of political thought in British India have, I believe I am right in saying, lent their full support. Next, we claim that in the questions which arise concerning the purely internal affairs of the States their case should not go by default. That will be of still greater importance in the future. The King's Vicegerent in India is even now burdened with many and grievous responsibilities which will be weighted under the new system of government; and here I would once again like to be associated in a respectful tribute to, and to express our deep admiration and gratitude for that great Viceroy, Lord Irwin. We think that it will be impossible for any man, however able, amid these grave preoccupations, to give adequate personal attention to those questions affecting the States which come up for day to day decision, and for which he will be directly responsible to the Crown. For these reasons some of us press for the appointment of an Indian States Council, to work with the Political Secretary and to advise the Viceroy of the day. Thirdly, there will be the need for the classification of those administrative questions which are of common concern to British India and the Indian States. This classification will require the previous consent of the States. As we advance further on the road to Federation there are other issues which will need safeguarding; as they are in the nature of details they are not our main concern to-day.

With this contribution to the common task before us I have done. Before I sit down, may I ask forgiveness if, as an old soldier, I have unwittingly given offence to anyone by any bluntness of speech? I am inspired by one thought—service to my beloved King-Emperor and devotion to my Motherland. Akbar, the greatest of the Moguls, when he set out on the crowning adventure of his crowded life placed his feet in the stirrup of opportunity and his hands on the reins of confidence in God. I would commend to you on the threshold of our great enterprise—the conquest of anarchy and reaction in Hindustan and the assurance of our contentment and prosperity as a co-equal partner in our great Commonwealth—the words of Abraham Lincoln in circumstances not altogether remote from these:—

> "With malice towards none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work that we are in."

Mr. Jayakar: I did not expect to be called upon at such an early stage of the debate, and I was under the impression that, representing as I do the younger generation, I was to be the last of the three speakers on behalf of the British India Delegation. However, Sir, as you have commanded me to speak at this stage I shall accept your invitation in the sense that I shall put before you a few sentiments from the point of view of the younger men of India who are looking at the Round Table Conference. You have

been told by my esteemed friend, Sir Tej Bahadur Sapru, under what circumstances the Round Table Conference has been convened. I remember the debate in the Legislative Assembly in 1924, when the most important political party in India, over which my esteemed friend Pandit Motilal Nehru presided, passed a resolution in 1924 and 1925, two successive years, calling the attention of British statesmen to the desirability of holding a round table conference. It may surprise British statesmanship that the very men who then desired the holding of a round table conference are to-day averse to attending the session of that round table conference. To me it is no wonder, and it is one instance of what an esteemed countryman of mine, the late Mr. Gokhale, said many years ago very pithily: "On all the portals of the Government of India is written in large letters the words 'Too late'. What would have satisfied India in the year 1924 is not satisfying India to-day, and, if I may say so, what will satisfy India to-day will not satisfy India a year hence. That is the lesson that I wish to put before this assembly, august as it is; and I can say with perfect confidence that we must proceed fast with our work, because time is, as the lawyers say, "of the essence of the contract." I repeat, without giving it as a threat, that time is of the utmost importance, because if India gets to-day what she wants she will be satisfied with many things which will not satisfy her six months hence.

Sir, I come from a Province where as possibly you have heard, the greatest activity of the Congress is going on. I have seen many things which very few have been privileged to see in the course of their political experience. I say with great confidence that the choice before your Government in India is a choice between constitutional government and chaos and disorder. How you will accept this choice it is for you to decide, but it is my duty to place before you the extreme gravity of the situation in India. As Sir Tej Bahadur Sapru has stated, to-day we are standing on the threshold of great events in India. Whether you make them great in the constitutional field, or whether you make them great in the field of revolution and anarchy, it is for this Conference to decide. I can only say that great events are going to take place in India, whether they are great in the field of responsibility, constructive work and comradeship, or whether they are great in the field of oppression, bitterness, hatred and anarchy, that will depend very largely upon what we achieve at this Round Table Conference.

Since coming here I have had frequent talks with friends. I used to be a student in this city, many years ago, and I still retain most pleasant impressions of my days as a pupil in the rooms of one of your foremost Judges in the Court of Appeal to-day. I carried back with me 25 years ago pleasant memories of my experience as a pupil sitting cheek by jowl with my English friends, one or two of whom have since become great Judges of your Courts. A few have died. One or two have become eminent King's Counsel, and others have become great Englishmen. I therefore claim to have a few friends in England, and talking with them I have discovered that

The second obstacle which has been put before me by my friends in England is the Army: how can Indians manage the Army? As Sir Tej Bahadur Sapru mentioned in his memorable words, we are quite agreeable to listen to any safeguards that may be suggested during the period of transition, in order that such transition may be made more easy and more safe for both sides. I am surprised that this talk about the Army arises in connection with a country in which there is all the fighting material for which one could wish. My Muhammadan friends, the Indian States, my own community, the Mahrattas, and the Sikhs, are all fighting people. India is a country which possesses traditional fighting talent which has continued over centuries, and which is quite capable of furnishing the Empire, if ever the time comes, with all the fighting material she may want. You talk of India as wanting in fighting talent—as wanting fighting talent even in defending herself. I am surprised that such talk should take place. It reminds me of a little episode which happened when Mr. Gokhale came here for the great Coronation, and which he was never tired of relating to me. He was taken to one of your beautiful parks to see a review of the Sikh and Mahratta soldiers—and beautiful, tall and stalwart men they were. They marched past to the admiration of all the Englishmen and women present and they were clapped. Mr. Gokhale refused to clap. An English friend standing near said, "Why don't you clap?". Mr. Gokhale replied, "I reserve my admiration for that mighty people who have turned these soldiers into their hirelings." That is the sentiment of the younger men in the country. There is splendid material in the land which you could harness, if you could only instil a little sentiment, patriotism, courage and self-government into their midst.

The third difficulty which was mentioned to me was "You are so divided amongst yourselves. You have your minorities—Muslims, Depressed Classes, Brahmins and non-Brahmins." With regard to that I wish to mention one circumstance. I do not know whether my English friends will appreciate it, because possibly you have no minorities problem among you. Certainly you have not had that problem within the last 30 or 40 years. My solution of this minorities question is this: give them opportunities of common endeavour for their country, and then much of this difficulty will disappear. Give them opportunities of feeling that side by side they are working for their one country, that they have a common patriotism, a common patria, for which they can all work together. Do that, and a great deal of the difficulty will disappear. That is my solution, and the reason I suggest it is this: under the present system of government we very rarely get any chances of working together in the sense of working for our common country. Create that feeling. It can be created only by giving India complete freedom in the form of Dominion Status. Harness all these minorities together, and I have no doubt that a great deal of the discontent which arises at present will disappear. That is the solution for the question of minorities.

Lastly, I come to an obstacle which has been mentioned to me. It is said, "Suppose India is given Dominion Status: what about the Indian States? Do they feel like you? Are they prepared to come into a Federation? Are they patriotic? Do they feel that they are Indians?" The answer to that has just been given by the noble scion of the house of Bikaner, who spoke before me. As Sir Tej Bahadur Sapru rightly remarked, the Indian Princes are first Indians and then Princes. Our deliberations during the next few days will make it perfectly clear that a common patriotism actuates them, as it actuates British Indians.

Let me say that we are quite ready to do this in order to create a foothold for the Indian States: we will not insist on impossible terms of Federation. I do not wish to go into the vexed question of Federation or a unitary form of government; although that question has been stated as the subject-matter of discussion, you, Sir, have very wisely ruled that we may speak on any constitutional question. Therefore I do not wish to go into that question because that is for the experts to decide in Committee. I can only say, speaking for those whom I represent in this Conference, and speaking with great confidence and assurance, that we will not insist on impossible terms of Federation so far as the Indian States are concerned. We shall insist only on such terms as most of the Indian States are prepared to accept at present. We have no desire to interfere unduly at all in the internal affairs of the Indian States; we are quite prepared to wait until they of themselves come into line with our ways.

I remember a characteristic paragraph in that memorable Montagu-Chelmsford Report, as we called it in India, where, ten years ago, this problem was anticipated, and in a memorable paragraph almost poetic like an epic, the authors of that Report stated what is eternally found true, and what has certainly been found true in India. They said that when you create these processes of reformation in one part of India you cannot have any barriers or frontiers beyond which they will not go. Create these forces of reformation, set these processes to work, and the Indian States will not remain immune from their progress for long. It is impossible to conceive of a free British India without conceiving of free Indian States in the course of the next ten, fifteen or twenty years. We are content to wait, so that these slow processes may operate, and so that in the course of time Their Highnesses can think of an Assembly in their own territory and of handing over responsibility to their own subjects. That is a question of time. We are a very patient set of politicians in British India, and we are content to wait.

We shall therefore not insist on impossible terms, and all that we say to the Indian States is this: "There are concerns of a common character; sit alongside us and thrash them out. We have nothing to do with your internal affairs." If they will accept a supreme tribunal, a supreme court of justice, and if all matters which are in dispute between the Indian States and British India

and between them and their subjects, can be referred to this supreme court of justice—over which I hope in course of time a man of the experience and erudition of Lord Sankey will preside—as long as the Indian States agree to this mode of arbitrament between themselves and their subjects and with British India and say: "We voluntarily submit to the jurisdiction of this tribunal"—by what name it is called is immaterial—as soon as that is admitted, then, to a politician of my mind, the question is solved. I will therefore not insist on tinkering with their internal administration; I leave that to the processes of time, and I have no doubt that in the course of time, when the rest of India is progressive, is free, is democratic, and has ideas of right and wrong based on human dignity and personal rights, the same processes will go beyond the frontiers of British India, because these processes recognise no frontiers and admit no barriers.

This is an invitation which I am privileged to make to the States, and let me give them an assurance that so far as we are concerned, we will raise no obstacles. I wish to give a similar assurance to these friends in front of me who represent British interests in India. I am aware, Sir, that a great many commercial interests are at stake in British India. I have a few friends in commercial circles who have invested millions and millions of rupees in British trade. There is no desire at all that there should be any kind of inroad upon the rights of the commercial people at all. All that they wish to do they can do as citizens of India. We may include them in a definition of the law so that they become domiciled Indians. That is a matter merely of phrasing, a matter of definition. But I can assure them that we are quite willing to sit down and accept safeguards which will give them an equal chance with British Indians. Let me, however, give them one warning—that they will not enjoy the monopoly they have enjoyed, so far as it was enjoyed, on the simple ground that in their skin there is less pigment than in mine. Monopolies they have enjoyed on that ground they will find very difficult to maintain, but any other rights they have as citizens of India will remain. We are quite prepared to accept any safeguards, and I think there is enough intelligence in this gathering to devise safeguards to protect all legitimate interests. I say that England's main interest in India is commercial. I think there are five hundred or one thousand families who send their younger sons to India to make a career for themselves, but that is a problem affecting only a few families. The problem of the ordinary man in dealing with India is mainly commercial. If you exclude these families to whom I have alluded, who are only a handful compared with the rest of the population, then I say your main problem in India is commercial. You want your productions to be sold in that country, and the consuming power of 330 million people is a powerful asset in our hands. It is a country in which your products can be sold. You have just ended a Conference at which Imperial Preference was discussed. May I say that I believe that, from the point of view of the commercial man, a contented community is a much better customer than a discontented one?

Already your trade is in great jeopardy. In one city only, *viz.*, Bombay, there are British goods worth five crores lying in the warehouses. Those goods cannot be moved, much less sold. Do you want this state of things to be intensified? Your interests are mainly commercial, and therefore it is surely better for you to have a contented customer, a rich customer, who can put his hand in his pockets and bring out pounds with which to buy your goods, rather than a poor and discontented customer. I submit that prosperity is necessary for the improvement of your trade. I am not speaking of the other moral forces, like friendliness, like comradeship—because they come under the terms of psychology of the mind—but even from the point of view simply of material interests, you should give absolute Dominion freedom, Dominion Status, to India in order that your trade might prosper.

Plenary Session, 18th November, 1930.

H. H. The Maharaja of Alwar: The longest night seems to be passing away and the sorest trouble seems to be coming to and end at last. The seeming corpse appears to be awakening, and a voice is coming to us away back where history and even tradition fails to peep into the gloom of the past, coming down from there, reflected as it were from peak to peak of the infinite Himalaya of knowledge, of love and of work.

From India, this Motherland of ours, a voice is coming unto us, gentle, firm and yet unmistakable in its utterances, and is gaining volume as it passes by, and behold! the sleeper is awakened. Like the breeze from the mountains it is bringing life into the almost dead bones and muscles. The lethargy is passing away, and only the blind cannot see, or the perverted will not see, that she is awakening, this Mother of ours, from her deep, long sleep.

None can resist her any more; never is she going to sleep any more. No outward powers can hold her back any more, for the infinite giant is rising to her feet.

Mr. Chairman, Members of His Majesty's Parliaments and Fellow Sons of our great Motherland, I greet you in these words.

I invoke the highest blessing of Providence, that wisdom, strength, dignity and co-operation may guide our deliberations for the service of our country. Remember that this Conference at which we have assembled, has to some extent the destinies of 300 millions—one-fifth of the population of the human race—in its hands. This India is the ancient land where philosophy and spirituality founded their first home. It is here that they dared to peep into the very mysteries of Heaven. It is the same India, which, through its inherent structure being on true and solid foundations, has withstood the shocks of centuries, of hundreds of evils, of manners and customs. It is the same land which has been firmer than any rock in the world with its indestructible life. Many times is one told that looking into the past only degenerates and leads to nothing; but surely it is out of the past, it is on the past, that the future must be built. Look back, therefore, as far as you can: think deep of the eternal foundations of Divine Love and Spirituality that are behind and, after that, look forward with heads held erect and march onward to make India brighter, greater and much higher than she has ever been. Remember the blood that courses in our veins. We must have faith in that blood that we build an India yet greater than she was.

The problems in India are more complicated, more momentous than the problems in any other country. Race, Religion, Language, Government, all these together make a nation. We see how in Asia, and especially in India, race difficulties, linguistic difficulties, social difficulties, and national difficulties all melt away before the

unifying power of spirituality. Therefore, for the well-being of our political cause we must give up all our little quarrels and differences. Remember always all things that our ancestors look down upon us, and they will do so with contempt on their children if they quarrel about our little differences. It is when the national body is weak that the disease germs in a physical, social or political state, or even in an intellectual state—crowd into the system. To remedy it, therefore, we must go to the roots of the disease, and the one tendency will be to strengthen the man, the mind and the body. It is culture that withstands shocks, not a simple mass of knowledge. Therefore, my friends, let us do nothing that will divide us, for divisions will weaken us and degrade us all the more. You all know that at this psychological moment the whole world is watching us. The solution will not be obtained by dragging down the higher, but by raising the lower up to a higher level. To make a great India, therefore, the secret lies in organisation, accumulation of power, but above all in the co-ordination of wills. Have that faith in ourselves, in that eternal power, first lodged in our soul, and then we shall revive the whole of India. Let this be our determination, and may He the Lord Who comes again and again for the salvation of His own people as is described by many of the different Scriptures of the world lead us all to the fulfilment of our aim **the uplift of India, the good of the Empire.**

We must now come down to mundane affairs, and Federation is the question before us. I am not enchanted with that word as a mere form of expression: to me "the United States of India" sounds more grand. Here are the representatives of two Indias, to-day each possessing different religions but united in the common bond of patriotism which permeates throughout our respective territories and provinces. We are united in the service of our country; united in our co-operation with the British Empire, of which we form a part, the highest symbol of whose political link is the King-Emperor. The two Indias are not really separate in their administration, and in order to understand the source of their existence we must—but for only a few brief moments—peep into history. The East India Company, towards the downfall of the Mogul Empire, consolidated its organisation and marched forward, conquering territories that in those days were divided between the decaying central sovereignty and States, some of which had existed for a long time, and others which had come into being through new opportunities. It is in such conditions that this Company carved out for itself territories which, excluding Burma, now amount to one-half of India—called British India. This Company, on the other hand, instructed by its Directors, entered upon Treaty Alliances, Engagements, Sanads and Agreements with Indian States, which still exist, as the result of which at the present day the other half is called Indian States. With regard to the India of the States, when opportunities come we shall put forward our points of view in greater detail, but here I will content myself with stating that we seek no new territories; we seek no new powers but the practical application of our Treaties and Alliances consecrated by several

Proclamations and speeches from Queen Victoria and all the succeeding Sovereigns of England, the British Parliament and Viceroys to the present day. I will conclude this statement in two sentences. Usage, sufferance and political practice have, for diverse reasons, encroached upon these sacred domains of our Treaties and what we desire is that such extra rights outside our Treaties, assumed without our consent, and sometimes without our knowledge, may be frankly and openly discussed, and should be decided only by mutual consent; otherwise our Treaties between the Crown and ourselves have no meaning. We know how sacred the Crown and the British people respect their pledged word and so we have faith that when the British peoples recognise the simple truth that we want no more than that those solemn Treaties with us should be observed in practice also, they will, we feel sure, appreciate that we make no new demands but desire that the simple truth should be recognised and practised.

I now turn to British India. Those who are its representatives are perhaps more able to speak on this subject, but there are two alternatives which I can best define by the terms of "Eastern and Western" conceptions. Talking of the first, there are many who hold the view—however prosaic or antiquated it may sound—that British India may be formed again into Indian States. I will not occupy your time in discussing the details of the problem, however logical and interesting they may be, because I have not the time on the first day except to state (*a*) that it brings true Swaraj as a living reality considerably nearer; (*b*) that it perpetuates the link with the Crown through its representative, the Viceroy of India. With Hindu, Mohammedan, Sikh and other States so formed it would set at rest communal questions. Above all, it maintains in strong bonds commercial and trade relations with England. It necessitates an Imperial Army to safeguard the Crown's obligations and to protect the ports and frontiers, with the internal army of the States maintained for security and assistance in emergencies. It ensures religious liberties to every section of India's population, and it carries on the tradition of India's rule according to her past history of hundreds of centuries. And finally, coming to Federation, or what I prefer to call "The United States of India," it immediately simplifies the problem of the Rulers uniting in a common body to work out the problems of India. Here is the shortest and the quickest way to Dominion Status. This is what would be an indigenous growth.

The alternative to this had its first seeds sown in a little known Despatch by Sir Charles Wood, the grandfather of the present Viceroy, who was then Secretary of State, and who initiated the idea of the English language being the medium of education and government. This was followed by Lord Macaulay, who strengthened this theory. Gradually this system has grown, which culminated first in the Minto-Morley Reforms, where the latter statesman, however, was opposed to the introduction of democratic organisations in India. It is from the time of Mr. Montagu, that passionate

lover of India—my country—that events took a definite turn towards responsible self-government. Here the irony of fate exhibits itself, for as we learn from Lord Ronaldshay's book, this term was devised by Lord Curzon, who was no less opposed than Lord Morley to democratic institutions for India. This I am sure will be generally acknowledged to be a Western system of rule and, therefore, in India not a growth but a graft. But having said so much I now come to my main point, that, if this system is now accepted by British India as the best method for her advance, if that is, as declared also, the final policy of the British peoples towards India, what do I conceive to be the opinion of the States? We realise all that this innovation implies in an Eastern country. We know that one word, "Franchise," alone has originated communal friction. We are not oblivious how it has created complexities of adjusting the future relations of a democratic India with the Indian States. There is, further, the proposition of this ideal truly permeating down to the masses and grasping them in its hold for the good of all.

May I frankly state with all good-will that when I first began to know of the path that was chalked out before British India on these lines, I was reluctantly reminded of an old Irish tune "It's a long, long way to Tipperary." However, when I have said this I have said enough. I have deliberately done so; for how else could I reconcile myself with the statements that I am going to make regarding British India's future, and the other India of the States, administered on ancient and traditional lines? I have certainly sought in doing so no popularity or favours. Now, if, as I have said, this is the goal that British India chooses, and if this is the goal which the British people have decided to place definitely and perpetually before British India, let me say equally truthfully that I wish British India God speed. I wish—and most earnestly wish—that the goal of India's freedom within the Empire, as a self-governing Dominion may be reached as early as possible. Personally speaking, the sooner that goal is achieved, the happier I shall be; for who is there of India that does not wish our Motherland to achieve her rightful place alongside the other sister Dominions? Understand me; why I emphatically state this is because I have the inherent conviction that the sooner British India has freedom within these boundaries, the sooner will India be able to have her own constitution through which it can revitalise into a true and traditional India. I go so far as to say, without any hesitation—and I would not be true to myself or to the land of my birth could I hold opinions to the contrary—that India should achieve her position on a footing of equality with her sister Dominions within the Empire, and arrive at the situation of a fully blossomed Dominion Status as early as possible. My aim in saying so is no other than that the larger Empire may find a grateful India, an India co-operating whole-heartedly in making this Empire, to which we are proud to belong, something even greater.

A united India will be the finest and truest jewel and the strongest force in the cause of our Empire. Under this system I come

again to the proposition, called at present by the name of Federation, where my ideal is the "United States of India" within the Empire. We are assembled at this table to devise means and ways in order to achieve this end by co-operation, and I am sure you will not find our States lagging behind in joining hands in order to arrive at a happy solution.

We are quite conscious of what it means. We know what all big changes imply. It may necessitate at first a little more injustice. It may mean a little less efficiency at first. It must mean larger sacrifices on everyone's part the States, and, perhaps, some of the majorities and minorities. But for our country's cause, for the cause of India, for the cause of the Empire, shall we stop short for personal, communal or narrow-viewed considerations? Our lives will pass away, but our country will remain. Then at least let it be said we were the true Sons of our Motherland, India.

I will conclude this statement with these words. When British India and Indian Princes came together on the first occasion within my memory to discuss problems of the Empire, it was during the War, at a Conference, where Lord Chelmsford invited representatives from both Indias to discuss questions regarding the performance by India of her duties towards the great cause that in those momentous days hung in the balance. I stated then that there would be people standing outside the doors of that house to ask what we had gained in this War Conference. I further stated that my reply would be that we had come at a time when the Empire was in need, and that was no occasion for demands or gains. We came with the will to give whole-heartedly of what lay in our power for the Empire's cause, and we asked for nothing. Indeed, that was the time when it was our duty to give—however great or small our capacity of what lay in us to the British Government.

Mr Chairman—and through you I speak to England—to-day has come the hour of India's need, and to-day British India and the Indian States have assembled together for the second time at another Conference in the centre of the Empire. Mr. MacDonald is the first Prime Minister, in my time, who has visited India. He knows her more intimately than many of his colleagues. We can appreciate that he may not have a very large majority in Parliament. But we know he has a tender corner in his heart for my land as we, many of us, have for his. We have no desire to take the bit between our teeth and to run away, which means going astray. Nay, we are with you, with England, but it is now England's turn to come to our assistance and to help India to reach that position beyond which we have no desire to go—India a sister Dominion within the Empire.

We are grateful to the Prime Minister for what he has already clearly stated in his Guildhall speech, when he said, "With the representatives of India and with the Princes we shall be engaged in the same task of broadening liberty, so that we may live with them under the same Crown, they enjoying the freedom in self-government which is essential to national self-respect and contentment."

mate aspirations of her people. I, for one, refuse to believe that, with some of the best brains of England and of India assembled round this table, we shall not arrive at a satisfactory solution of the problems which both India and England have to face; a solution which, while satisfying the legitimate aspirations of the Indian peoples, will thereby strengthen the link which binds England and India together.

My Lord Chancellor, ninety-seven years ago, during the debate on the first Government of India Bill of 1833, the late Thomas Babbington Macaulay, who had taken a prominent part in the preparation of that Bill, observed as follows:—

> "The destinies of our Indian Empire are covered with thick darkness. It is difficult to form any conjecture as to the fateful result for a State which resembles no other in history, and which forms by itself a separate class of political phenomena. The laws which regulate its growth and decay are still unknown to us. It may be that the mind of India may expand under our system till it has outgrown that system, that by good government we may educate our subjects into a capacity for better government, that having become instructed in European knowledge they may in some future age demand European institutions. Whether such a day will ever come I know not, but never will I attempt to avert it or retard it. Whenever it comes, it will be the proudest day in English history."

That was the glorious vision which the late Lord Macaulay saw when introducing the measure in the House of Commons. The dawn of the day when that vision may be realised has now come.

Unfortunately thereafter, if I may venture so to put it, the British Parliament succumbed to what can only be described as sleeping sickness in its relations with India, for we find that it was not until 1861, some thirty years after, that a Bill was introduced in the House of Commons for the first time recognising the need for associating Indian Representatives in the work of legislation in that country. But that association was a very limited one, secured only through nomination. Again the British Parliament went to sleep, and slept for over forty years, and it was not until the year 1909 that the elective principle was introduced into the Legislative Councils of India. Meanwhile India had gone on advancing rapidly. The influence of Western education, the study of British constitutional history, the study of French and Italian history had aroused in the minds of educated Indians dreams which Macaulay, at any rate, had contemplated when the Bill of 1833 was introduced.

The result was that the tardy measures taken at such long intervals by the British Parliament, instead of satisfying the aspirations of the Indian peoples, gave further impetus to those aspirations. It is a curious fact in history that political aspirations have a very strange way of growing. What may satisfy a people to-day, if not given in time, will not satisfy them to-morrow. That is what has happened in India.

Shortly after the Act of 1909, a great war broke out—a war which gradually drew into it almost all the leading nations of the world. During that war India came forward to prove her devotion to the British connection in that life and death struggle in which the very existence of the Empire itself was in danger. India came forward to prove her devotion to the British connection by taking her share of the burden spontaneously, and by providing for the armies of England over one million recruits—soldiers who vindicated the honour and the name of their country on the various battlefields of Europe, Asia and Africa.

The part taken by India during this unparalleled world conflagration gained for her her legitimate position in the international affairs of the world as a signatory to the Treaty of Versailles and an original member of the League of Nations. But within the British Commonwealth of Nations, curious as it may appear, she still continued to occupy an inferior position. After the conclusion of peace, until the appointment of the Royal Commission, unfortunately a succession of events took place in India which added to the various causes of unrest in that country influencing the Indian mind. When His Majesty's Government was pleased to appoint the Royal Commission, India was absolutely excluded from it. No representatives of India were appointed to it, with the result that the unrest in that country increased tenfold. And now we have to face a situation which in all earnestness is indeed grave.

When I see articles in the newspapers stating that all the unrest in India is confined only to the educated classes, and that the uneducated masses, or Indians living in rural areas, have no sympathy whatever with the National movement which is going on in India, I am more than surprised. It would be very amusing if it were not so tragic. Do writers who indulge in that sort of writing realise that hundreds of thousands of India's soldiers, who took part in the Great War and who have seen with their own eyes what other people are in their own countries, have returned to India, and after demobilisation, have dispersed all over the rural areas of the country, living in villages, talking to their fellow villagers? They have told their fellow villagers what they have seen in Europe and in the Near and Middle East. Do these writers realise what a deep and widespread effect the stories which these demobilised soldiers have told their countrymen have had in the villages and remote corners of rural India; what a deep and widespread effect they have had on the minds of Indian villagers?

Just look for a moment at what is going on now in India. This Civil Disobedience, which we have openly condemned not only in England but in India, is that movement limited to the educated classes? No doubt the movement is led by the educated classes, but who are the men who are facing all the trials, all the troubles, which this Civil Disobedience movement has given rise to? They belong to the uneducated masses. To say that the uneducated masses are entirely out of touch with the national movement that is going on in India is, if I may venture to say so, the action—

according to the Oriental saying—of a pigeon who closes his eyes when the cat is approaching him, thinking that thereby he is safe.

Fortunately among the British Delegations here there are at least three statesmen who know that I am a Punjabi, and that we Punjabis are not easily alarmed. Indeed, the greater the difficulty, the more firm, the more cool and the more calm Punjabis become. They also know that I have been, in the last 40 years of my public life in India, the strongest supporter of the British connection in India—so much so that on occasions I have been called a reactionary by my own countrymen. It is I, who say that the situation in India is grave, very grave.

If a solution, calculated to satisfy the legitimate aspirations of the Indian peoples and thereby to strengthen the tie which binds England and India together, is not attained by this Conference, I tremble to think what the situation will be. Now that we have met in order to try to find that solution, it is my business, as spokesman to-day of my community, of the Muslim group, to tell you what we, the representatives of the Muslim community in this Conference, think. Our position is very simple. To repeat what I said in the Viceregal Lodge at Delhi in November, 1924, we want our countrymen in India to rise to that stature to which other people have risen in their own countries. We want India to attain Dominion Status as an equal partner in the British Commonwealth of Nations.

I say we want India to rise to her full stature within the British Commonwealth of Nations for this reason. In the new conditions which have been brought into existence, as a result of the wonderful progress which science has made, and as a result of the world forces which are now actually in operation as a consequence of the Great War, no country in the world, however rich or powerful, can afford to lead an isolated life. The tendency of modern international movements is towards the association of nations and countries for the purposes of security, of mutual help, and co-ordination of effort. Therefore we Mussalmans of India realise that the British Commonwealth of Nations is there for India to be associated with it, and to continue to be associated with it, for her own benefit and in her own interests. That is the deep-rooted conviction in our minds, and that is the reason of our traditional loyalty to the British connection. At the same time, it is perfectly natural for the seventy-one millions of His Majesty's Mussalman subjects to insist upon this—that in the constitutional and administrative evolution of India they must have their legitimate share both in the Provincial and in the Central Government. I do not desire on the present occasion to enter into the details of the claims which the Mussalman community has to put forward in this connection. That is a matter which will have to be discussed in the Committees. Some of our own Committees are already considering that matter, and I trust they will be able to arrive at a satisfactory conclusion.

To our mind, in view of India's vast extent, in view of her [illegible] divisions [illegible] recognised for centuries past, and in view of the [illegible] conditions which obtain in India, there is [illegible] as the basis of the future constitution of India, which alone will suit the circumstances of the case—and that is the federal system. We, therefore, welcome the declaration, made by their Highnesses the Maharaja of Bikaner and the Maharaja of Alwar on behalf of their Princely Order, that the Indian States are willing to come into an All-India Federation. To me, as a constitutional lawyer, a self-governing India side by side with an Indian India, having its relations with the Crown, is a hopelessly impossible conception. A Federation of India must include both British India as well as Indian India. In so far as British India is concerned, we must, as is the case in every other kind of structure, build upwards and not downwards. Therefore I welcome the recommendation made in certain quarters of granting provincial autonomy to the Provinces. These will be the federal units of our All-India Federation in the future. But the Mussalman group have no hesitation in saying that that is not enough—that responsibility must also be introduced in the Centre. How far that responsibility should go is a matter which will be discussed in the Committees hereafter. We are willing that for the transitional period certain vital reservations might be made. That is to the interests of India itself, and, in consequence, we have no objection to that. You have seen that the Report of the Royal Commission has been condemned in India by every school of political thought, merely on the ground that it does not propose to introduce responsibility in the Centre.

(At this point the Prime Minister returned to the Meeting and resumed the Chair.)

To the British Delegations I have one final appeal to make before I sit down. Believe me, a happy and contented India will be a source of immense strength to the British Commonwealth of Nations. Take your courage in your two hands. The situation is grave. When a situation is grave, far-sighted statesmanship requires that it should be handled with wisdom and generosity. Taking your courage in your two hands, do what you did in South Africa shortly after the conclusion of the South African War. What has been the result? During the sittings of the Imperial Conferences, which I had the honour of attending on behalf of my country, nothing struck me more than the way in which the representatives of South Africa, throughout the deliberations of the Conference, upheld the tie which binds South Africa and England together. Believe me, the satisfaction of legitimate aspirations brings contentment, and contentment awakens feelings of love and affection for those who have satisfied those legitimate aspirations. If the aspirations of educated India are satisfied, the result will be that the tie between India and England will be strengthened. Then all your Imperial problems—the problem of Empire defence, the

those in India for whom I speak, if through inexperience I prove an indifferent advocate of my cause. At the same time I feel greatly honoured that I have been chosen to take part in these deliberations, and however faulty my advocacy may be, I am encouraged and upheld by the conviction that half humanity shares the views which it falls to me to propound. I feel certain that not only among the millions who till the soil of India, but among all sober-minded politicians and statesmen there must be a large measure of support for, and sympathy with, those who counsel a cautious advance, and preach the dangers of precipitation and short-cuts. I believe, moreover, that when once power is given to India to shape her own destinies, a strong party of experienced and responsible politicians will emerge, which will call itself the Conservative Party; for the chief ingredient in Conservatism is, in my view, a sense of responsibility. Such a sense of responsibility has not so far had an opportunity to develop, and the constitutional advancement of India will provide it with the opportunity for which it is waiting. The energy that is now being devoted to gaining that advancement will, when the victory is won, be converted to the consolidation and preservation of the position that has been gained. I do not claim that the conservative point of view has a monopoly of wisdom and foresight; but I do not, on the other hand, admit that the progressive point of view rallies to its banners the whole available stock of energy or idealism. I do, however, suggest that in the world at large, the conservative elements are the great repository of experience, and that they have therefore much of value to contribute to the common stock.

In this country of England, where one of the great parties of the State has been for many years known as the Conservative Party, it may appear to many to be mere waste of time and breath to say that the conservative attitude does not begin and end with blind and obstinate resistance to all changes of any kind. I believe, none the less, that there are in India those who suspect the conservative attitude to consist merely in distrust of, and opposition to, change as such, and I wish, therefore, to begin with a sincere assurance that this is not the case. The Princes, whatever their views, whether conservative or advanced, are in the fullest sympathy with all the legitimate aspirations of the leaders of thought in British India. The Princes of India welcome the emergence of India as a nation among the nations of the world, and gladly and wholeheartedly support the efforts of representative Indians by which this claim to nationhood is being established.

There are, however, I will confess, some aspects of our Indian problem in regard to which the men of conservative principles will, I believe, obstinately, though not blindly, resist all change. They will resist with all their power any sign of failing in loyalty to the Crown, and any attempt to sever India's destinies from the British Empire of which we are proud to be a part. I hope and believe, however, that to this extent every member of this Conference is a Conservative; and I content myself with saying that I yield to

none in my loyalty to these ties, and in the sincerity of my desire for India's happiness and prosperity in the future.

Before I begin to state my position I wish to make one point clear. To guard against possible misunderstanding, let me say here that in my approach to these problems I am dealing mainly with those aspects which concern the States.

Perhaps I can best define the conservative attitude by saying that we differ from other schools of thought less as to the object to be achieved than as to the pace and method of achievement. A good car needs a brake as well as an accelerator; a ship requires an anchor as well as engines. The proverbial difference between "haste" and "speed" is a truth so commonplace that we are apt to be impatient when we are reminded of it, but it is the function of the Conservative to insist on the truth of truths, so old that they are sometimes forgotten. Each one of us as an individual learns such truths for himself by experience, sometimes bitter; I merely ask that we should apply to the problems of statecraft the caution and restraint which we exercise in the daily round of our individual lives.

One of the most difficult aspects of the problem which concerns us all is in my view the variety of the interests which have to be reconciled. We are met, not to prove before an impartial tribunal that one view and not the other is true, that one policy should be adopted, one community or one set of interests should be favoured, and the other set aside, overlooked or suppressed. We have to reconcile all points of view and achieve a measure of agreement. It is possible to coax into the parlour those who cannot be driven into the fold. For this purpose the quality which we require in the largest measure is mutual confidence. This quality of confidence is a plant of slow growth. It is not a commodity that can be weighed out in parcels and distributed. Its growth cannot be artificially forced. It grows in the soil of safety and it requires a peaceful atmosphere of security for its nourishment. Until this spirit of mutual confidence and goodwill animates us all, the path of the Indian nation will be a difficult one to tread. I feel so strongly the danger of pressing ahead in disregard of the health of this tender plant, on whose life and growth our safety depends, that I make no apology for my insistence on the danger of precipitancy and the need for caution in our rate of advance.

The Indian States—I speak for the conservative element—wish to safeguard their individual existence. They ask for guarantees that the changes in the Government of India, which are foreshadowed, will leave them free to pursue their own ideals in the manner of their heritage and tradition. They ask that their position will not be modified without their own consent, that changes will not be forced on them, and that the treaties into which they entered with the British Power in India will be honoured in the spirit and in the letter.

It may be thought by some that there is a sinister intention underlying the request for guarantees and safeguards—the inten-

tion to make permanent the divisions which exist in India, and so to prevent her from attaining the full stature of a nation. This is not the desire of the States. We have no desire to stand in the way of reforms for British India. We wish only to be assured that the reforms which the Indians of British India desire do not impose on us changes which we do not desire. We wish to preserve the individual and historical identity of the States which our forefathers carved out for themselves and handed down to us. If these interests can be secured, we make no further claims. If these interests can be secured without our participating in the common councils of India, we have no wish to thrust ourselves in simply for the sake of participation. If, as may well be the case, they cannot be secured except by participation, we desire no greater measure of participation than is needed to achieve these ends. Similarly, as to the pace of the advance, if the changes which are decided on for British India necessitate changes in the relations between the Government of India and the States, we desire that such changes may be made step by step; that they shall be restricted at each stage to a minimum, and that the effect of each step shall be carefully considered before a fresh step is taken. Many of the changes which are adumbrated are from the conservative point of view in the nature of an experiment. The more fundamental the changes, the greater and more daring will the experiment be. There is a Latin proverb which teaches us that experiments should be made on objects of comparatively little value. The States do not regard themselves as objects of comparatively little value, and they are reluctant to be the subjects of experiment, because the daring nature of such experiment, even its brilliant success, are slight consolation to [illegible] sacrificed for it. We wish to know the nature of our destination. We are unwilling to set out for a destination hereafter to be revealed.

There are those who see in visions of the future a picture of an India united in religion, race and creed, pursuing one ideal and standing as one nation without diversity of interests or outlook among its peoples. This hope the future may bring true, but in the world of the present we desire that the interests of the present shall not be completely subordinated to those of the future; and we are not willing to surrender the substance of our position to-day for the shadow of a position which we may one day achieve in a Federated India. We do not desire Federation if this involves the gradual disappearance of all that the States have stood for in the past.

I have one more thing to say. Rights and obligations are complementary. They are the two sides of one medal. This is as true of the nation as of the individual. It is perhaps inevitable that in negotiations such as these the rights should be emphasised by one side or the other and the obligations glossed over. Let us, I mean everyone here, recognise that every right involves an obligation. If we ask for rights let us honestly and squarely face the implications of our claims. Let us strive not in a spirit of bargaining, but in a statesmanlike spirit of compromise and accommoda-

tion, to satisfy each other's anxieties, in the confident hope that, by concessions to the fears or prejudices of the doubting, a rich harvest is to be won, for, by the confidence thus inspired, the ground is prepared for that spirit of mutual trust and goodwill, to create which is the real aim of all concession.

His Majesty The King-Emperor reminded us, in the gracious words with which he opened this Conference, that "ten years is but a brief span in the life of a nation." These are weighty words which I hope will be pondered deeply by all who share in the decisions of our destinies. I have singled them out, not because I would have the Indian nation mark time, even for a moment, when the way is clear to go forward, but because I feel that, however rapid the pace of development which the facts may admit, the distance that we have to travel is more than a day's journey. It requires stages for its completion. If I may vary my metaphor, the structure of a constitution is so massive that it cannot be erected on a fragile foundation, and it is in the laying of the foundations that the greatest foresight, caution and sagacity are imperatively necessary. If by the united labours of the experienced statesmen of our two countries the foundations of a worthy edifice can be well and truly laid, we can the more safely hope that the youth of India may be left to complete the building.

The state of India to-day is such as to bring tears to the eyes of all who love her. It may be that in the inscrutable ways of Providence she is being led through pain and travail to a future of joy and happiness. I pray that this may be so. I am reminded on this occasion of the words of a great British orator, Edmund Burke, when the fate of another nation was in the balance—"I think," he said, "we ought to inaugurate our discussions on this subject with the ancient invocation of the Church, 'Sursum Corda'—'Lift up your hearts'" and I conclude my speech with some memorable words of his "Magnanimity in politics is not seldom the truest wisdom, and a great Empire and little minds go ill together."

Lord Peel: No one is more sensible than myself of the profound interest and importance of this Conference; and I think no man can contemplate without emotion this assembly here of so many representatives of India, with the Princes and the British Delegations, gathered together in this old Palace of St. James in order to deliberate on these great questions affecting the constitution and the future of India. Indeed, I feel in listening to the speeches of my old colleagues, the Maharaja of Alwar and Sir Tej Bahadur Sapru, as if we were back again, seven or eight years ago, to the time when we were colleagues in an Imperial Conference, and when we battled together and fought together—I believe not unsuccessfully—for the further recognition of the position of Indians in the Dominions and elsewhere.

I think and I know that those gentlemen and others who know me will not imagine that I am lacking in sympathy with the ideals and aspirations that have been expressed here and in India, and in

whatever I say I am impressed solely by the duty of speaking courageously and frankly to the audience here. My hopes and views about India's future do not differ greatly from those who have expressed most passionately their own aspirations.

May I interpolate this, and may I say first of all how extremely interested I am in the last speech we heard, from the Maharaja of Rewa—how well he understood Conservatives and Conservatism. They hold on to what is best in the past, and they look forward to what is best in the future; and, at the same time, with a lack of arrogance, which I hope you will note, we do not claim to have a monopoly of all the virtues.

Sir Tej Bahadur Sapru made some observations about the interest of Members of Parliament in Indian affairs and about the very small number of men who control matters both here and in India. There seemed to be implied in his observations the suggestion that, while many Members of Parliament knew very little about India, there was not a deep and profound interest among the people of this country in the affairs and in the future of India, and in their connection with India.

Speaking in the presence of Members of Parliament I would not like to suggest that there are those outside who know more about political affairs than they do; but I do assure you of this—and it would be a great mistake for anybody in this assembly to form a contrary impression—that the pride of Englishmen in the history of their achievements and of their connection with India, and in the future of India, is deep and profound. Do not let any man go away from this assembly with the impression that the interest, the profound and even instructed interest, in Indian affairs is confined to half a dozen men in Parliament or in the Services.

I comment for a moment, if I may, on the observation made by Mr. Jayakar, because I wish to hang a remark upon it. His observation was to the effect that England's main interest in India is commercial. He said "There are 500 or 1,000 families who send their younger sons to India to make a career for themselves." Here again, though I have no doubt he did not intend it, I seemed to note a view somewhat depreciatory of those great Services which have worked for so many years with, in so many cases, a selfless devotion to Indian interests and Indian causes. May I say that I felt a little hurt at that observation. Like others, my own family has sent out many men to India who have devoted themselves to the cause of India, and I think it a pity, when we are gathered here to talk about the relations of these countries, that we should say anything that would depreciate, to however small an extent, what I believe to have been the devoted services rendered by so many of my countrymen in the building up of India. Anyhow, I can assure you of this, that no observation of mine will depreciate the services rendered by Indians to the Empire. I know, and I can speak not merely for a Party in this, but on behalf of my countrymen, that, whatever may be the constitutional issues, they feel most strongly and most deeply the contributions that India has made

to the Empire, and they are full of sympathy with, and full of gratitude for, the great devotion and the great energy with which Indians, Princes and peoples alike, threw themselves into their great contribution to the war. Therefore, when we are approaching what is no doubt a very great subject, let us at least free our minds, if we can, from any idea that there exists, either in my own Party or in the country, any indifference or lack of zeal or lack of sympathy towards the problems which you, gentlemen, are here discussing.

Naturally, we must come down to practical affairs—though I myself have listened with profound interest and sympathy to some of the emotional appeals that have been made to us by the eloquent speakers who have preceded me, because I am not at all one of those who think that these matters can be settled by dry and hard legal or constitutional formulæ. I am very sensible and sensitive indeed to the great part which sentiment and emotion play in the building up of human affairs. But, of course, we have to consider that the result of our deliberations may be embodied in a Bill and that that Bill is to be presented to Parliament for its consideration or for its criticism or adoption, and, that being so, I think it may be my duty to say a word or two as to the attitude or the feeling in many conservative circles towards some of the impressions they have formed, or which have been shaped in their minds by the happenings of recent years, because I want to pay the only compliment that I can pay to this assembly, the compliment of frankness, and I believe that any contributions that we can make should be, not only sincere, but should be true, as far as we can make them, so that we may join together, as it were, in building up on that basis of frankness, sincerity and fact the structure which we do hope to build.

I shall have to say a word or two on that in a moment, but let me make a quotation from the Viceroy's declaration itself. I was very glad to hear the enthusiasm and applause with which our present Viceroy's name was received, and it is therefore with all the more confidence that I want to read out to you, to refresh our memory, shall we say a passage in that address delivered on the 15th January, 1930, to the Members of the Legislative Assembly:—

> "I have never sought to delude Indian opinion into the belief that a definition of purpose, however plainly stated, would of itself, by the enunciation of a phrase, provide a solution for the problems which have to be solved before that purpose is fully realised. The assertion of a goal, however precise its terms, is of necessity a different thing from the goal's attainment. No sensible traveller would feel that the clear definition of his destination was the same thing as the completion of his journey; but it is an assurance of direction."

I lay special stress upon those words, because I think there has been, certainly in some political circles in India, though not mentioned here, a misinterpretation of them, and they have regarded the statement of the goal as the same thing as the statement of the

immediate purpose. Criticisms of statements as bad faith or breach of faith are often very easy to make, and, even though denied, travel far, and I wish to state here that there is no promise in that statement of the immediate translation into fact of the full measure of Dominion Status, and that it is pointed out there as a goal which may be attained in a swifter way or in a shorter time if things go well with the political development of India, and therefore, while we are united on the goal, we may, as the Maharaja stated, differ as to the pace or rapidity with which we may attain that goal.

Now I have one or two things to say, if you will allow me to say them to you, on the recent events in India which have, to some extent, disturbed and harassed and upset the more conservative bodies or conservative opinion in this country. I have to say so, because, unless we deal frankly with these matters, we cannot really form a conception of the attitude which Parliament may adopt towards subsequent Bills. In many ways conservative feeling has been deeply moved by recent events in India. It has been deeply disturbed by the great non-co-operation movement. Conservatives have never believed that non-co-operation on a large scale could be non-violent. They have never believed that the experiments, already tried in India some years ago with unfortunate results, could be tried again in India with more fortunate results. They are harassed also by an anxiety that, if we agree here upon some constitution, and if the representatives of India go back to work it, there is a party, a very strong party and an organised party, in India which will, as it were, wrest the opportunity from the hands of those who are here, and will merely use those powers that are granted, for furthering their own separatist and independent ends.

We were told that that independence and those declarations of independence by the Congress were due to frustrated ambition, frustrated desire for further self-government. I am not going for a moment into the psychology of those declarations. I will only say that declarations of that sort of independence and separation from the Empire have been made. I regret that they have been made, but they have had some definite influence upon conservative opinion in this country. Further than that, declarations have been made even about repudiation of debts, or in the milder form —but coming to exactly the same thing as far as credit is concerned —of an examination into the debts incurred by India to see that they have been properly incurred. One can easily see, and one knows, that that has had a most unfortunate effect among the commercial and trading classes of this country. It has given a shock to their confidence, possibly made them rather more conservative in their views than they were before.

We have had an observation about monopolies from Mr. Jayakar. I do not know quite what he meant by these monopolies. Referring to what would be done if India had self-government, he said, "Let me give them one warning: that they will not enjoy the monopoly they have, in so far as it is enjoyed, on the simple ground that in

their skin there is less pigment than in mine". What are those monopolies? I submit that there is no monopoly—legal, constitutional or of any other kind—except that monopoly which is obtained by skill, by energy and by commercial success. I say advisedly that there is no single commercial operation in India which cannot be undertaken just as well by any Indian as by any Britisher. Therefore I submit, without fear of contradiction or challenge, that there is no such thing as a monopoly such as has been referred to. Then, Sir Tej Bahadur Sapru told us that the Moguls were conquerors and that they became domiciled. He seemed to draw some distinction between the position of the British in India and the Moguls in that respect. What I am going to say is this—and our feeling in regard to this point is strong—that, quite apart from any legal constitutional rights founded on Acts of Parliament, our position in India, and our services to India, have given us [illegible] on moral grounds here to be considered, a claim, which, I think, has not been fully dealt with by any of the speakers who have addressed us. I am not going to dwell [illegible] because they are so familiar to you—to our achievement on the material side, our work in the destruction or diminution of famine, or the great works of irrigation, or what we have done for law and order and the whole machinery of government. All that [illegible] education in political theory has been, as I think most Indians will admit, one of the great contributing causes to the growth of that national sentiment to which such eloquent expression has been given in this Conference already. Therefore, when we are talking of the British position in India, let us remember that we have been there now a long time. Do not talk of us, as one or two speakers have done, as aliens. Talk of us as those who have contributed greatly to the constitution and to the growth, moral and material, of India, as those who have won in India a place of consideration—of partnership, if you like to use that word—on account of our previous services.

I want to allude with some—I was going to say hesitation—to the work of the Statutory Commission, because we have been told by one speaker already that it has met with general condemnation in India. I assume that everybody here present has read carefully and pondered both volumes of the Report of the Statutory Commission, and really I am often amazed, when I look at it, that so little regard appears to have been paid by some people to that Report. I am one of those unrepentant persons who, having read it and studied it, consider it to be a great contribution, both in thought and report, to the great Indian problem. It has been treated in some respects as a reactionary document. I contend that in many respects it might be called a very revolutionary document, and I want to make that statement good. Just take the position as regards the Provinces. Take the question of the proposed introduction of full self-government in the Provinces. (*A delegate*: Absolutely bogus.) I will come presently to the question of whether it is bogus. These proposals I submit are very wide and far-reaching. What is to be done by these pro-

posals? First of all dyarchy is to be swept entirely away and the Councils in the Provinces are to be furnished with exceedingly wide powers over the great populations in those Provinces. Really they are not Provinces, they are countries. They are countries with 20, or 30 or 40 millions of people. Is it nothing that these wide powers are to be truly transferred to Indian Ministers, whose laws and whose administrative acts will touch most closely the intimate lives of these millions of people in the different Provinces in education, in local government, in health, in agriculture, and even in regard to the more disagreeable subject of taxation? I submit that a change of that kind proposed in the self government of the Provinces is more far-reaching than many have given it credit for.

Under these circumstances, is there really anything inherently unreasonable in proposing that, while the Provinces are adjusting themselves to these new conditions, settling down, learning their new powers applying the arts of government to these great populations, that during that time—not a long time perhaps—there should be no substantial change in the Central Government? I know that Sir Tej Bahadur Sapru said it would be strange if responsible Ministers in the Provinces were to be under the control of an irresponsible Government at the Centre. Many Governors of Provinces will tell you that they are very little under the control of the Government at the Centre, whether responsible or irresponsible, but surely at this time of day it is a little late to talk of irresponsible governments? All Governments, whatever their form, are very well aware of, and are extremely sensitive to the opinions, the thousand and one sympathies and interests and movements of thought, which govern them, as they govern more technically responsible Governments.

Again—I am still dealing with the rather conservative side of opinion in this country—take the question of police. Many must be aware that the transfer of the police is viewed with very great anxiety in many quarters not only in this country but also by some of the Governments in India. While we have every hope that what was suggested by Sir Muhammad Shafi may come to pass, and that, with agreement, all these old difficulties and communal troubles may disappear, yet we must at the same time be well aware that, even in the last few years, we have seen most unfortunate exhibitions of communal troubles; and that there are some people who think that perhaps that impartiality, which European or British control over the police can give, may be of some advantage. Possibly conservative opinion may to some extent put too high a value on the length of time during which some countries have enjoyed representative institutions, and may think that the habits acquired by those countries can only be attained by the long experience of years. It may be that they think that those habits must be deeply rooted before the full strain of self-government in a vast country like India can be thrown upon them. We have seen recently in other countries where parliamentary institutions have been too rapidly set up, that they have failed and withered because they

had not the roots on which they might grow. We feel this, not from any desire to delay in India the realisation of her aspirations, but because Parliament does feel, and must feel, a tremendous responsibility towards India.

It is not by any means forgetful of its promises and declarations; but its long association with India has laid great responsibility upon it, and it cannot therefore, by lassitude or easy good nature, telescope too rapidly the process by which self-government is attained. As has been observed to-day already, it may be that parliamentary institutions in India are not a growth but a graft, and I have always been one of those who were not anxious for the too rapid development of a particular form of parliamentary institutions in India, because I felt that India itself might have a strong contribution of its own to bring to constitutional problems and that it was a pity to stereotype too early the particular form which that constitution ought to take.

May I, before I sit down, say a few words on what I think is really the subject we are discussing whether the future constitution of India should be unitary or federal? On the unitary point I have not much to say. I can hardly conceive myself that, in a country so vast, so diversified and so populous, it is possible to set up or maintain what is called a unitary government. You would have, I am sure, the centre of government so far removed from living contact with the peoples of India that there could be very little sympathy that sympathy which must be established between the ruler and the ruled. I, therefore, incline most strongly to that federal idea which builds up units, of great variety if need be, within the whole and which contributes to the whole something of the richness and the variety which they themselves contain. It might be useful to meditate upon the relation that could be established between the Princes and the States of India, and the Provinces. One would be impressed, I think, by the fact that some unity must be established between them, because otherwise one might seen the Princes on the one side with their States, and the Provinces on the other side, moving in separate orbits, almost in opposite directions, not towards that unity which seems to be necessitated by the growing forces of civilisation with the practical application of science and industry drawing them together. This idea has been planted, has flourished, and has grown rapidly. With all respect I should say that in this matter the Report of the Government of India seems to me to be somewhat out of date. It seems to contemplate the setting up of such a scheme as being a remote possibility in the future, but not, I think, in the present.

I feel—as I think has been indicated by some of the speeches delivered during these two days, notably that of The Maharaja of Bikaner, which met with answering sympathy from other speakers—that this idea of some sort of federal union between Princes and Provinces has grown rapidly and has enlisted a large amount of sympathy from great sections of opinion. That seems to be a tremendous gain, because it is very difficult to see how it is possible

Party also, the vast importance of bringing India, sooner or later, by processes quicker or slower as the case may be, into its equal part in the great community of the British Commonwealth. I am not one of those who can see the British Empire, with its great constituent nations without India in it. I am certain the loss would be great to that Commonwealth of Nations. I am equally certain—I am confident—that the loss would be great to India as well. We can be of great use and service to each other. I say, speaking here to so many representatives of India, that the contribution which they can bring in thought, in knowledge not merely on the material side but on the spiritual side as well, will enormously enrich the content of what may be in the future the community of British Nations. It is the very variety, which we find in India, from the other Dominions which constitutes the great attraction for the resources of constructive statesmanship.

In this strange world where, as we grow older, we are more impressed perhaps by the fleeting and the transitory aspect of things than by permanence and stability, I trust that this fruitful vision of unity may endure and may endure so long as human hearts beat to the music of noble causes. All men's imaginations are stirred by high conception to great achievement.

H. H. Chief of Sangli: Mr. Chairman, I associate myself whole-heartedly with the speakers who have preceded me in their expression of sympathy and devotion to His Majesty the King, of the sympathy of the Ruling Princes and Chiefs of India with the aspirations of British India, and of hope and faith that, in the solution of the issues which confront us, we shall be animated by the goodwill, patience and wisdom which His Majesty commended; and in doing so I feel sure I am echoing the sentiments of those who no less than others are amongst the Rulers of States.

As regards the main question that we are discussing to-day, namely whether the future constitution of India should be unitary or federal, Their Highnesses who have spoken before me have already shown that a United and Greater India can only be created with the consent and association of the sovereign States of India with the Government of British India. I need not therefore deal with that point. I would only say that if Federation be agreed upon, those whom I represent would be willing to assist in the achievement of the goal.

At this stage, it might be well to state in broad outline the problem of the smaller States. Their essential features are identical with those of the other States, namely, (1) they are not British territory; their subjects are not British subjects; and they are not governed by the law of British India; and (2) the British Crown is responsible for their external relations and territorial integrity. They all manage their internal affairs and maintain their troops or police forces, except the very small estates and jagirs. For international purposes the territories of these States are in the same

position as those of British India, and their subjects are in the same position as British subjects. These facts establish that their rights, and indeed their interests, are identical with those of the rest of the States. It will thus be plain that the methods of All-India cooperation that may be devised by the Conference would apply to these States. It is true that some of the States especially those which are included in the group known as "estates, jagirs and others" are very small, and their cases will require investigation in order to fit them into the scheme that may be ultimately framed in order that they may enjoy all its benefits in common with the rest of the States.

In this connection I may remark that the importance of the smaller States is not to be judged by the size of individual units but by the aggregate figures of their area and population, their widespread territorial distribution and their large number. I would ask this House to remember that, if a little over twenty States be excepted, no one of the remaining States has a population exceeding half a million; and yet they include in their number States which have as ancient a lineage, as proud a history, as large a jurisdiction and as rich potentialities of development as any other. They further share in the general political awakening, the stirrings of new life and new hopes or, in His Majesty's words, "the quickening and growth in ideas and aspirations" which characterise the whole country, and they are animated by the common ideal of being placed firmly on the road to the political stature which is their due. The fact that His Majesty The King-Emperor has emphasized the wisdom of paying due regard to the just claims of minorities at once shows his deep interest in them and inspires the hope that the legitimate claims of all States, regardless of size, will receive due recognition, and that at this birth of a new history, the foundations will be well and truly laid, and an enduring union of the States and British India will be brought into being.

Sir Hubert Carr: Mr. Chairman, it is obvious that the section of the British India Delegation to which I belong approaches this question from rather a different standpoint to that of many of the previous speakers. I feel strongly, however, that although we are racially separated we are united in a desire for the welfare and progress of India. It would be absurd for me to suggest that we have the same impelling urge in that desire as those who are born in India, but we do have a very sincere sympathy with that desire, not from any standpoint of superiority, but because we recognise in that genuine desire that which we ourselves would entertain were we sons of India. I think perhaps we all think that the keenness of the desire has lead to India travelling faster than any of us had expected, and we are inclined to think that she has arrived at the present point a little out of breath. We feel that it is a most happy condition that we are drawn here to-day really to get away from the turmoil which is liable to warp judgment and really to look at the whole problem in the surroundings which have been laid for us here.

We are, of course, very largely actuated by anxiety that the present order should not give way to immature ideas which would lead to a breakdown. Everybody must feel the risks which are facing India, and little excuse is wanted when one looks at the appalling conditions which happened from too rapid changes of government in Asia.

Much has already been said by Lord Peel which represents the views of the British community in India. I will not attempt to follow him, but with regard to the main question of federal or unitary government, we are united in believing that federal government is the line which offers the best chances of successful progress to a united India. We believe in the full application of federal principles, not only in bringing the States and the Provinces together at the Centre, but also in its application to other departments of government—finance, railways, and so on.

When we come to the question of responsibility at the Centre we are frankly doubtful whether that is possible at the present time. It has been said that, given responsibility, many of the difficulties with which the present Government is confronted will disappear. I do not think experience warrants us placing great faith in that, nor do I think the remarks that have already been made here really induce us to follow that line of thought. It was said yesterday that that which satisfied India twelve months ago does not satisfy her to-day; that which satisfies her to-day will not satisfy her six months hence. I rather agree with that, but it does not induce in me faith to say that now is the time to make any great move. I should like to see further consolidation of thought in Indian political opinion as to what is best at the Centre before any strong move is made.

There are several points which lead be to take that view, but I will only touch on them briefly, as I do not want to occupy your time too long. For instance, in the matter of dealing with disturbances and maintaining law and order, I have no doubt that the present Government and system of government is perfectly capable of taking care of the country at present. We do not advocate, any more than the most ardent patriot here, that the methods of force are the methods we wish to see applied; but they are methods which may have to be applied at times, not only by the Government as constituted at present, but by any national Government of the future. It must be admitted that, hitherto, the Legislative Assembly has not proved itself ready to grant the Government such powers as they have often found necessary for coping with the conditions that prevail in the country.

The talk about the repudiation of debt and the examination of national indebtedness has, as has already been pointed out, not helped to inspire confidence in those whose future is wrapped up in India, and we feel very strongly that any Government, that is going to be for the good of India, must retain not only the confidence of its own nationals, but also international confidence.

I have mentioned some of the difficulties and considerations which build up our present attitude. It is not one of lack of sympathy; it is not one of wishing to go back or to stand still. We recognise [illegible]. But we do [illegible] hope that the [illegible] to be put [illegible] to the possibility that pace of realisation is not the best criterion.

Our community [illegible] gave evidence [illegible] to the Statutory Commission [illegible]. We believe that Parliament had every right and was wise to find out the conditions in India as [illegible] by their own [illegible], but with that feeling, we were [illegible] strong that a consultation should take place before [illegible] expressing their views. [illegible] the calling of this Conference was [illegible] welcomed it, [illegible] of Indian experience without which none of us can hope to attain to the aim we seek to achieve in the future.

As regards our own position out there, it is one of friendship and common interests, and we have welcomed the [illegible] the way in which it is intended to meet British interests in India in the future. It makes it easier for us to welcome forward moves in the political field, and we do welcome India's claims to a position in the Empire as a Dominion. There are admittedly grave difficulties which call for time to overcome, but we are proud as members of the British India Delegation to face those difficulties with the certain hope that we are going to overcome them.

Lt.-Col. Gidney: I address this Conference in a dual capacity, as an Indian, speaking on India, and as a member of the Anglo Indian community, representing my views with regard to the future constitution of India. I should be indulging in a truism were I to see that both the unitary and federal types of government have their good points. In the past India has been ruled, and her present nationalistic spirit developed, under the stimulus of a centralised form of government. To replace this suddenly by a federal government is obviously a leap in the dark, the more so when one thinks it connotes the close material co-operation of the Indian States. If we are to judge by the terms published in the Press on which these States would be willing to enter such a federation, their connection with British India would for some time be more in the nature of a sentimental than a practical association. At the same time, we readily appreciate the willingness and desire of the States to join the Federation and, on the assumption that such a Federation would soon materialise into a corporate body, it would be ridiculous for any one of us to refuse such an offer; and therefore, on behalf of the community I have the honour to represent, I raise my voice in favour of a federal form of government and welcome it as best for the future of India.

With your permission, Sir, I should like to go a little further and say a little more on this. In the creation of this Federal Gov-

ernment, the consummation of which no one here can foretell, I am afraid that, judging from some of the speeches I have heard, we have in a measure, by seeking for a federal Government first before stabilising our provincial Governments, placed the cart before the horse. My conception of a practical measure would be to give India immediately complete provincial autonomy and, when the Provinces have stabilised themselves, allow them absolute freedom to federate with those States which are willing to enter into association with them, and so form a number of federated units which could eventually combine in an All India Federation with a strong, responsible and representative Central Government.

I am aware there are some States which will refuse to enter into this pact, and perhaps some special provision will have to be made for their affiliation with a federated India on terms acceptable to them. But whatever the decision of this Conference may be, I am prepared to accept it, as a member of a minority community, for I am wedded to neither one form nor the other of government. All I ask is that ample provision be made for the development of self-governing institutions in India and that we be given ample power to deliver the goods that we are manufacturing at this Round Table Conference; and at the same time I ask for the adequate and statutory protection and safeguarding of minority interests.

By that I do not mean the sort of provision that already exists in the Instrument of Instructions in the 1919 Government of India Act, which no Governor has up to date put into operation; nor do I mean our authoritative directions from the Secretary of State. What I desire to express in clear and unmistakable terms is that all minority communities must be afforded full protection, be it by means of a Magna Charta or in any other way, and given a right of appeal to the Central Government or, if necessary, to some higher authority against any infringement by a Provincial Government of this statutory protection, the Central Government being armed with adequate powers for the purpose.

This protective clause should in the first place prohibit discriminatory legislation against minorities; secondly, it should guarantee their entry into the public services, and thirdly, secure their adequate representation in all legislatures. Such a provision is guaranteed in other Dominions, and particularly in the constitution controlling the New Zealand Government. The stability of a majority government depends on the protection it affords to the minorities. This was in a large measure overlooked when freedom was given to Ireland, with the result that an Ulster was created to the permanent prejudice of a United Ireland. The demand for self-government for India has often been compared to the similar demand made by Ireland. Let us hope that in its attainment no Ulsters will be created in India.

It is true that in numbers we are one of the smaller of the Indian minorities represented here to-day, but our stake in India, our interest in her future destiny, and the part played by us in her

defence, development and past fortunes, and to be played by us in the future, are in no way commensurate with the mere numbers of the Anglo-Indian community. In the first place, we represent in our very bodies that fusion of East and West, India and Britain, which in other Indians and other Britons can exist only as a fusion of interests in politics and economics. If India is our Motherland, Britain is our Fatherland, and whatever may be the case of other communities, our loyalties are to both these great lands; in the connection between them we find our truest welfare, and in the growth of affection and union between them we find our highest happiness and contentment. Indeed we are your joint responsibility and neither party can disclaim its honourable obligation to protect us.

Moreover, small as our community is, it has played a mighty part in the making of British India. Its military services from the old John Company days to the Great War, when we gave 80 per cent. of our manhood at the call of King and Empire, is an unparalleled record. To-day, Sir, we form 27,000 out of an auxiliary force of 34,000, and to-day, with India seething with civil disobedience and revolution, you will find at all important railway stations our men standing behind sandbags with rifle in hand, protecting British and Indian lives and property.

Modern India has been truly described as a creature of communications, and I claim that my community has played the leading part in making and working these communications, which are the framework of the nervous system of modern India. I go further and say that, without my community, these communications would not have been developed as early or as completely as they now are. I appeal confidently to the history of India to prove what I am saying. In all India there will not be found any community more steadfastly loyal, more industrious, more law-abiding, and, in a word, more fully possessed of the virtues of good citizenship than the Anglo-Indian community and in pleading the cause of my people, I beg most earnestly that my kinsmen, Indian and British, will try to appreciate the value to the future India of such a body of citizens as we represent. In the Memorandum to the Simon Commission this community asks for temporary economic protection for 25 to 30 years, after which it is prepared to sink or swim with the rest of India. During this short period it merely asks that the number of posts it occupies to-day in the various services be not reduced, that its educational grants be not lowered, and that it be very liberally assisted with generous scholarships to enable it to educate itself and enter the higher services in larger numbers. Surely these demands are not excessive when one considers the great economic, military and administrative services rendered by this community to India and the British Empire. If this protection is refused, we sink; if it is granted, we swim, and shall, without doubt, play as great a part in the future as we have already done in the past India. Indeed, Sir, I assure you that the decisions now being taken at this Conference are matters of life and death, literally life and death, for us.

Of late years our economic position has steadily deteriorated. Nevertheless, so far as it is in our power, we are endeavouring to make it possible for the more promising of our younger generation to receive the education and the training which will fit them to compete with the members of other Indian communities. But — and this is a point which I would ask all present to consider dispassionately — the deterioration in our economic condition is due very largely to no fault of our own, but to a deliberate policy on the part of Government. The members of other communities are now in a position to undertake many of the duties which have fallen to us in the past, and particularly in that sphere of work which hitherto has provided my community with its main employment: I mean the Railways, Telegraphs and Customs. It was inevitable, of course, that the competition of other Indians for the posts, which we held in these and other services, should become more and more strenuous as education spread, but we are suffering under the dread conviction that, as a small and poor community, we are being sacrificed to the demands of other more powerful communities, and I repeat again, not communities whose attachment to India is any more real or deep than our own.

If our experience of the past few years is to continue, then indeed I can see no hope for us. And there is another thing I want to say with all the seriousness and emphasis I can command, and it is this: the treatment accorded to the Anglo-Indian community, small as it is, but with a record of consistent and devoted loyalty to India and Britain, will be a touchstone by which the quality of Indian and British statesmanship and equity will be judged in the future. We can be dispossessed of all that we have and truly ruined, and dispersed as a community: that can be done quite easily. But if it is done, it will be done to the everlasting discredit of the two countries to which we belong. I do not want to make a begging appeal to retain as privileges the Government posts and other benefits which we have enjoyed in the past by virtue of service, tradition and fitness; rather I want to ask if it is not possible to give us something in the nature of a "Bill of Rights," to embody in the fundamental document of the new Indian constitution a declaration with all the authority of India and Great Britain behind it, to the effect that we shall not be expropriated from our employments and the other positions which we have created by our labour and our service merely because we are partly Indian and partly European. In short, I want to ensure that a reformed India will not result in a deformed Anglo-India.

We are not before you as beggars, but as suitors in a just cause: an Indian community devoted to our Motherland but, it must be admitted, under some suspicion because of our unflinching loyalty and devotion in the past to our Fatherland. Our bitter experience has forced us to the conviction that nothing less than that for which I am now asking will be of any use to us, namely, a solemn declaration in the fundamental document of the constitution that we shall be allowed full access to all the work for which we are fitted.

THE GENERAL DISCUSSION *(continued)*.

Plenary Session, 19th November, 1930.

H.H. The Maharaja of Patiala: Mr. Prime Minister, in rising from my place at this comparatively late stage of the general discussion, I feel I have somewhat of an advantage over the speakers who have preceded me. This is the third day of the general discussion which, I am sure we must all agree, has greatly clarified our ideas. It remains, therefore, only for me to deal with those points which I think might be clearly brought out, in order to summarise what I take to be the general view of the Indian States Delegation.

My brother Princes have already laid stress upon the intimacy of those personal ties with His Majesty's Person and Throne, of which I and every Prince are so proud—ties which bind the Princes of India to the Crown of Britain. These ties remain indissoluble, in the truest sense, links of Empire. But I would point out that they operate in two ways. They constitute on the one hand a link between the Indian States and Great Britain. On the other hand, they constitute a no less important link between the Indian States and British India, since they bind the two halves of India, politically distinct though they may be, into the higher unity which comes of common attachment to a common sovereign. It is my earnest hope, as I am sure it is the hope of all my brother Princes, that the dual operation of these bonds will play its own great part in the birth of that United India for the achievement of which we are all striving.

I make no secret of my own belief that the connection between my own country and the British Commonwealth is one that has been designed by Providence for the benefit of humanity at large. India herself comprises within her borders no less than one-fifth of the human race. If, as I hope and pray, she remains within the British Empire, as a partner equal in dignity with her sister Commonwealths, there will result such a free and voluntary co-operation between East and West as the world has never known. What may such an alliance not achieve for the peaceful progress of mankind at large? The culture of the East, like the culture of the West, has its own characteristic contribution to make. It is for us here to see that our strengths are jointly cast into the same scale—the scale of justice, of progress, of co-operation.

Like all my brother Princes, I have been greatly impressed by the eloquent appeal made to us by Sir Tej Bahadur Sapru, when he opened this general discussion, that we should recognise we are Indians first and Princes afterwards. May I with all earnestness say how readily we respond to that appeal? We yield to none in our devotion to India, our Motherland. But may I also point out that by remaining Princes we do not cease to be Indians. Our Order is supposed, in certain respects at least, to be conservative. I should myself prefer to say that we are conservators. We

feel indeed that we are the conservators of a great tradition, of an ancient civilisation and of a proud culture.

At a time when the dynamic, machine-made civilisation of the West threatened to overwhelm much of our ancient Indian culture, it was the Indian States which proved themselves the conservators of the traditional arts and crafts. It was within the Indian States that Indian talent, whether in the sphere of arts or politics, for long found their freest, and indeed perhaps for a time, their only scope. It was within the Indian States, to speak of the past alone, that men like Sir Salar Jung, Sir T. Madhav Rao, and Seshadri Iyer, discovered opportunities of self-realisation, of work for the Motherland, that were not available to them in British India. And to-day is it not the case that the Indian Princes can count among their Ministers and advisers, statesmen of whom the whole of our country may well be proud? I feel strongly that the Indian States have it in their power to make a contribution no less valuable to the Great India of the future than the contribution of British India herself. Nor is this contribution confined to a historic continuity of culture, a proud sense of citizenship, a solidity of political institutions transcending differences of caste and creed. The Indian States can contribute something else, which until the millennium arrives is no less important to the life of a country than the arts of peace—namely the capacity for self-defence. It is in the Indian States that there still flourish most prominently such organised military life and tradition as still exist in India, and I suggest that in the future this may be found amongst the most practically valuable of the contributions that the Indian States can make to India, and through India to the Empire.

Mr. Prime Minister, I believe I am speaking for my brother Princes as much as for myself when I say that we all look forward to the birth of a greater India; whether that greater India will take the form of a United States of India, or of a Federal Dominion of India, we may know more clearly before this Conference comes to the conclusion of its work. Our readiness to work for this ideal, and to contribute to its achievement has already been made manifest; and I am happy to think that both His Majesty's Government in England and my colleagues, the political leaders of British Indian thought, fully appreciate the anxiety of the Indian States that India shall rise to her full stature within the British Commonwealth of Nations. I believe, and I am happy to think that my belief is shared by many, that the readiest and the quickest method of achieving this enhanced status and dignity lies along the road of federation. For federation I am prepared to work, knowing that only through federation can the Indian States join with British India in the formation of the greater India which we all desire.

Here, I think, it is necessary to be clear in our ideas; for it is not only the future of our own States and our own peoples, but the future of India as a whole that is involved. I believe that at every step we should reflect upon the immense issues concerned. What do we Indian Princes mean when we say we are prepared to join

with British India in constituting an All-India Federation? Let me say first what we do not mean. We do not, we cannot, contemplate any severance of the ties which bind India to the Empire. The maintenance of the British connection is the fundamental assumption of our whole position. In the next place, we desire to make it plain that, outside the matters of common concern, we shall preserve our internal autonomy intact, without any interference on the part of British India, whatever the constitution of British India may be; just as the British Indian unit of the Federation will be entitled to manage those affairs, which are exclusively its own, without interference on our part. To put it otherwise, by federation we mean an arrangement entered into by us and by British India jointly under which, while British India manages those affairs that exclusively concern it, and while the Indian States manage those affairs that exclusively concern them, and while the Crown discharges such functions in India as are reserved to it, the Crown, British India and the Indian States join together in a system which provides for the joint management and joint control of matters that jointly concern the two sides of India.

The task of devising such a system is not merely difficult and delicate, but involves certain assumptions that I desire to bring out. No Federation has, I am sure, ever come into existence without the rights of the federating units being first precisely known. Now, so far as the Indian States are concerned, these rights are in some doubt. Our own view, the view of the Princes, is that our rights are founded upon our treaties and engagements, that our relationship with the Crown is an ascertainable relationship, the terms of which depend upon the element of consent. The Indian States Committee has challenged this view of ours. Are our own legal advisers right—some of the most eminent Counsel in London—or are the members of the Indian States Committee right? How can we federate until we know what rights and what duties we bring to the Federation? When, therefore, we express our willingness, and indeed, our desire to enter a federal arrangement are we not entitled to ask that there should be a prior ascertainment of our rights, not decided by executive action, but by judicial decision; by the decision of the highest judicial tribunal to which His Majesty's Government and the Indian States may agree to prefer the question? We feel that such ascertainment of our rights runs in no way counter to our desire for the higher unity of India, but will indeed directly facilitate the formation of that federal arrangement through which we believe that unity can best be achieved. Again, it is impossible for federation to come about unless those who are parties to federation are prepared to pay the necessary price. Sacrifices will be necessary. Sacrifices by British India as well as by ourselves. Are we prepared to face the sacrifices? For my own part, I believe that we are. But let us be under no illusion that sacrifice will not be necessary. And while I do not think that there can be any question, for example, of our losing that internal autonomy which each State cherishes, I do

He gives his devoted attention and his devoted service to that cow, so that every morning he may have an ample supply of fresh milk for his tea. I may also make a comparison with the devoted service which a landlord or malguzar pays to his malguzari village. India is the malguzari village of England, and as such I appreciate that devoted attention is given so that India, the malguzari village, may supply all the needs of England.

Lord Peel also complained that Mr. Jayakar charged the British people with having monopolies in British India, and I was pleased to hear the definition of monopoly which Lord Peel gave. If that definition is correct and if practical effect is given to it, then I, coming from the great Hindu race, have nothing to fear. Efficiency, competence, intelligence and capacity for work, if that be the test for the loaves and fishes of life, if that be the test for a man's worth, I, coming from the great Hindu race, have nothing to fear.

Unfortunately, however, it is not that. Lord Peel says, "I submit that there is no monopoly, legal, constitutional or of any other kind, except that monopoly which is obtained by skill, energy and commercial success." I wish that were the fact. In the history of the British Empire in India I wish it were a fact; for, had that been the case, I would be the last man to complain, for I would have no reason to complain. Efficiency, capacity for work, intelligence, if that be the test, no man from the Hindu race would ever have reason to complain or would ever have complained.

As regards the monopoly, I might bring to the notice of my friend, Lord Peel, something which was written by one of his own people: a life of Sir Bartle Frere, Governor of Bombay, written by Mr. Martineau. He gives a history of how the Indian shipping industry was killed and the present British India Steam Navigation Company brought into being. A Mr. Mackinnon went to India, without means, as an adventurer, and was introduced to the Governor, who was told that he was a very capable young man who would be able to build up a great British shipping industry in India, if the Government would only help him by a subsidy. "That is the man I am looking out for," the Governor said; and a subsidy was given. Every help was given, and the British shipping industry was established, to the prejudice of the then existing shipping industry of the Indians.

I should now like to quote from the reports of the House of Commons. In 1839 a Committee was established by the House of Commons before which a Mr. Melville gave evidence. India passed entirely into the hands of the British after the war which ended in 1818, when the Mahrattas were finally defeated. Some twenty years later, in 1839, Mr. Melville said before that Committee "If British India were a foreign country, a ship built there and navigated wholly by natives might bring a cargo of produce to this country and take back a cargo of British produce; whilst, being a British possession, a ship so owned and navigated is denied

that power. The natives of India are excluded from advantages to which natives of all other countries are admitted; they are not only deprived of the advantages secured to British shipping and seamen, but even of the advantages possessed by some of the foreign nations."

Mr. Wilson, who is known as a great British historian, an honest man, and a sincere man, and one who follows Lord Peel's advice of speaking frankly and sincerely, describes how the Indian cotton industry was killed. He says "British goods were forced on India without paying any duty, and the foreign manufacturer employed the method of political injustice to keep down and ultimately strangle a competitor with whom he could not have competed on equal terms." He further says that "Had not this been the case and had there not been such prohibitive duties, the mills of Paisley and Manchester would have been stopped at the outset and could scarcely again have been set in motion even by the power of steam." That was the position of the cotton industry in India and that was how it was killed.

Now that it has been killed Lord Peel comes and says there is no monopoly, legal or constitutional or of any other kind, except a monopoly of efficiency. I wish it were so. May I say a word about a monopoly in a sphere which is dear to my heart—the monopoly which is enjoyed by Britishers as regards commissions in the Army? Up to ten years ago not one Indian belonging to the fighting races, belonging to the races that established and subverted Empires, and are looking forward to the time when again they will establish Empires, was admitted to the commissions in the Indian Army. The sons of such races were absolutely excluded from Commissions in the Army. Is not that a monopoly? Was the Civil Service not a monopoly? Was the Indian Medical Service not a monopoly? Was it based entirely on efficiency and capacity for work? I wish Lord Peel would reconsider his statement and, as he has given us a lead in frankness and sincerity, would reconsider the position and give us a further lead in sincerity and frankness.

Lord Peel reminds us, and sincerely reminds us, and very gravely reminds us, that Lord Irwin, for whom we gave very lusty cheers when his name was mentioned here, has never promised immediate translation into fact of the full measure of Dominion Status. I know it. I do not require to be reminded of it. I have not yet known any British statesman say, "I shall take time by the forelock and be an exception this time to the rule of the British being always five minutes too late and doing a thing when the grace is out of it." I expected that the British people would rise to the occasion and say, when we come here to-day to give a frank expression of our opinion, "If you prove your capacity, if you prove worthy, immediate Dominion Status will be given you." In capacity, in efficiency it cannot be said that the representatives of the Hindus have been found wanting. (*A Delegate*: Of India.) Yes, Hindus of Hindustan, which is called

India in English. Hindus therefore means Indians to whatever religions they may belong -Hindus, Muslims, Christians, etc. I am glad the Delegate reminded me of that. I am not an Englishman and therefore I am accustomed to speak of Indians as Hindus of Hindustan.

Now what is the present situation in India? Lord Irwin may say that he is not going to give immediate Dominion Status, and the British people may say that they are not going to give immediate Dominion Status. We are not here to know whether the British Government is going to give us Dominion Status or not. We have come here as a mark of our consideration for the long-standing friendship, the long-standing association between India and England, to tell the British people frankly and sincerely—taking the lead of Lord Peel—what India thinks and what is the situation there at present, so that you may exercise your independent brain and your independent thought and make up your minds how to proceed in the present situation. The situation in India I shall briefly describe. There are Indians in the Civil Service, there are Indians in the Medical Service, there are Indians in the Military Service, and their wives and their sons and their brothers and their nearest relatives are taking part actively in the national movement of Civil Disobedience, and are going to gaol and are suffering all kinds of indignities and oppression. Young boys, young kids, young girls, young women, old women, old men all are coming forward to express their heart-felt feeling that the time has come to assert India's position and dignity, and that India can never be satisfied with anything less than Dominion Status or full responsible government. I will come soon to what I mean by Dominion Status or responsible government. They are suffering all kinds of indignities and oppression. I was myself twice convicted and was one of the guests in His Majesty's gaol in the struggle for freedom, in my desire to make India as free as any Dominion in the Empire. If further sacrifice is needed this man will not be found wanting when the time comes, as he was not found wanting during the Boer War and during the last World War. If I could offer the sacrifice of my life for the Empire during times of real emergency, I should be a thousand times more ready to offer my life for sacrifice for the freedom of my country.

British people think, and perhaps British officers in India think, that they can put down the movement, that they can demoralise the people. They think that by a display of force they will cause all this trouble to disappear. The time has passed—I am speaking frankly and sincerely—and that time will never come again, when any show of physical force is going to cow down the Indian people. I have seen with my own eyes officers with police and military, faced by thousands of people, children, boys, women, men, who said: "All right, you do your worst; we are prepared to be shot down." While being shot down they may run away for the time being, but, when the shooting stops, they come again to do the

same thing over again. In the organ called "Young India." Miss Slade, one of the daughters of the British people, a daughter of Admiral Slade, who took part in the last war, writes as to the ways of British oppression; how the British people are aspiring to kill the movement and how they do not succeed. I shall only quote, without adding any remarks of my own: "Lathi blows on head, chest, stomach and joints . . . stripping of men naked before beating . . . dragging of wounded men into thorn hedges or into salt water; riding of horses over men as they lie or sit on the ground; thrusting of pins and thorns into men's bodies, sometimes even when they are unconscious; beating of men after they had become unconscious, and other vile things too many to relate, besides foul language and blasphemy, calculated to hurt as much as possible the most sacred feelings of the Satyagrahis. The whole affair is one of the most devilish, cold-blooded and unjustifiable in the history of nations." So says Miss Slade, the disciple of Mahatma Gandhi, the modern avatar, *i.e.*, incarnation, of love, non-violence and truth. That disciple, an English lady, says these things. She has seen these things with her own eyes, and frankly, taking the lead of Lord Peel, frankly and sincerely and honestly says what she has seen.

This is what is going on in India at the present moment, and this has been going on for more than six months and yet the movement has gone on. As I have said before, when shooting does take place people may run away for the time being but as soon as the shooting stops people again throng and do the same thing. (*A Delegate*: They should not run away.) I should have thought they should not run away but let us imagine the difficulties of the progeny of the races which fought wars, which waged wars, defeated enemies, having been disarmed and made helpless for the last 80 years or so—three generations of disarmament! The Moghuls came, conquered India, defeated us, established their Empire; but it did not enter their brains to maintain their Empire by disarming the whole nation. It is this thing that has gone right into the bottom of our hearts. I could quite understand it if anybody says, "If you have a rifle, and if your opponent has a rifle, and then you run away, then you can call him a coward". But cowards they are not, because these people, seeing that their own people are being shot down, return to the same place to do the same thing, simply because they have not rifles of their own. That is the crux of the situation. The truth of what I am saying is that, if the British officials in India think that this movement can be cowed down or submerged by any kind of repression, they are mistaken. It is impossible that that movement could be crushed. We have gone through it. My grandfather has passed through all these troubles before. We know in our history what a repression we have gone through before, much more serious than the present repression. We have gone through that, and we, Mahrattas and Sikhs, standing together have withstood the most unimaginable atrocities that human nature could think of; and yet

[illegible] and eventually succeeded in establishing Swaraj in India.

The sum and total of what I say is this. This is the parting of the ways for the British people and ourselves. We have been in association, according to my calculation, for a little more than a hundred years, according to somebody else's calculation about a hundred and fifty years. It is the consideration for this association that has prompted me to come to this Round Table Conference against the desire of all my people, in spite of the condemnation of friends with whom I have worked for the last twenty-five or thirty years, and ignoring the assertion by friends and co-workers in private and in public that he is a traitor who goes to the Round Table Conference. They say, "We believed that he was a sound soldier of his Motherland, but when the time for the real examination came, he was found out, and now we know he is a traitor who goes to the Round Table Conference."

I am risking all. I am risking everything that is dear to a man's heart in this life, and all for one thing; for the some little affection there is for the association that has been established for the last 125 years. It was that little affection that made me take risks in my youth, according to the promptings of youth in those days, when I joined General Buller's Command in the Boer War and offered my services for the last World War. According to the promptings of a more sober and a more advanced age I am taking the risk of losing everything that a man holds dear in his life. If I had looked at things from a personal point of view, what a simple thing it would have been for me to be hailed as a great patriot. I had only to say "Mahatma Gandhi Ki Jai; down with the Round Table Conference," and people would have said, "There is no greater patriot than Dr. Moonje at this time in India." But I have risked all that and I have come here, and I am so glad that Lord Peel has anticipated the promptings of my heart to speak here sincerely and honestly and frankly.

Now that I have said all these things, what is it that India wants, and what is it that you are asked to do? India wants Dominion Status. India has an ambition of her own. India had, according to her own ambitions, established her own Empires, and, of course, those alone who can establish Empires lose Empires. It is not a very extraordinary thing to lose an Empire, because only those can lose Empires who have got the capacity to establish them. The last straw is being put on the camel's back. Let us see if the British people have the wisdom to avoid putting the last straw on the camel's back before the camel's back breaks. What is it that India wants, and what is it that we are asking you to do? We want Dominion Status. I am not using the words from a constitutional point of view. When we meet in the sub-Committees, then we can talk about it scientifically and constitutionally and historically, but here I am speaking from a layman's point of view. What is it that India wants? India wants to be a Dominion

body isolated and independent of it; but if the body politic does not react favourably, then the foreign body acts as a poison and poisons the whole body politic. Either absorb us into yourselves so that we can say that the Empire is our own along with you, or say "You are a foreign people, but we shall allow you to isolate yourselves as an independent being." If something on those lines is not done it is not very difficult to prophesy that that foreign body will be a source of immense trouble, will poison the whole body politic, until either it is cast out or the body politic itself is destroyed.

It is to tell you this that I have come here and spoken freely, frankly and sincerely, and I am grateful to Lord Peel for having given me the lead. This is the frank expression of a man who has been known up to now as a patriot in his own country. Now he is called a traitor to his own country for having come here. I would commend to the British Delegations the amount of responsibility that lies on their head. It is a question whether India shall be complementary to England or opposite to England. In the latter case there may be constant warfare, constant trouble and constant repression so that there will be peace on neither side in India.

Sardar Ujjal Singh: Mr. Chairman, we are assembled here to find a solution of one of the most difficult and complex problems which any assembly was ever faced with. We were reminded yesterday by Lord Peel that we should proceed with caution. I fully agree with the noble Lord that we should take all factors into careful consideration, but we must face and surmount difficulties and not succumb to them. I need not repeat what many of my friends have already said about the grave situation in India. I will only say that rapid progress may lead to some trouble, but hesitation and half-hearted measures are bound to lead to great disaster. We cannot forget that India at this moment is impatient and restless to breathe the air of freedom. This impatience has led the leaders of the greatest and most powerful political party in the country to adopt means which we all, I believe, sadly deplore. But we Indians deplore no less the measures adopted by the Government resulting in breaking of heads and the sending to prison of India's gems, who, in a free country, would have commanded the respect of the proudest nations. Both these methods are a counsel of despair. This unfortunate, sad state of affairs in India calls for the rarest courage, wisdom and statesmanship of the highest order. In the success of this historic Conference lies the good, not only of India or of England, but of the whole world; for one-fifth of the human race in ferment cannot but produce uncertainty and restlessness in the whole.

Although the problem is difficult and its solution imperative, there is no ground for pessimism. On the other hand there is a clear indication of a determination on the part of every section of this historic assembly to find a ready solution for it. By inaugurating the opening ceremony of this Conference His Majesty the King-

The Sikhs who were, I need not remind you, the masters of the Punjab not many years ago, and who, since the British advent have maintained their military prestige in the various theatres of war in Asia, Africa and Europe, and who during the Great War supplied no less than 89,000 combatant recruits, besides 30,000 already in service, and who still constitute the most gallant element of the Indian Army—the Sikhs cannot remain indifferent to their interests. I beg of you not to ignore the just claims of a community which is to be the backbone of India as a Dominion. I need only remind you of the words of Edward Thomson, who has written a book on the reconstruction of India. He says that, if the Sikhs remain loyal to a federated India, the North-Western border is safe against Afghanistan, and if India remains a Dominion her shores are secured by the British Navy.

I am anxious, therefore, to be assured of a rightful position for my community. In fact, the test of a constitution is the measure of security it provides for the minorities. But I am not without hope that, along with other difficulties, we shall be able to solve this problem in a friendly spirit, with a common desire to see India occupying a proud position among the countries of the world.

The problems of defence and the maintenance of law and order were mentioned yesterday as the big problems which presented peculiar difficulties. I am of opinion that with the solution of the minorities problem and with the introduction of a system of responsible government, which might satisfy general public opinion in India, the question of law and order becomes very easy. Indians in general are more peace-loving than Westerners, and if their legitimate demands are acceded to, the chances of disorder and outbreaks are considerably reduced.

I admit that the defence problem is more difficult, but it is made more difficult partly from the peculiar nature of India's frontier, and partly by the exclusion, until recently, of Indians from higher ranks and positions of responsibility in the Indian Army. I hold the view that India cannot be a full-fledged Dominion until she is able to assume control of the Army, but that does not imply that she cannot have Dominion Status and responsibility in other spheres of governmental activity without delay. The question of defence—and along with it relations with foreign countries—can for a period of time be entrusted to the Viceroy, assisted by an advisory board of Indians; but to seek to remove the control of the Army from the Indian Legislature and to vest it in a foreign body for all time to come is to postpone the attainment of full Dominion Status by India until Doomsday.

What is immediately needed is to accelerate the peace of Indianisation in the higher ranks of the Army. It is inconceivable that the right material will not be available, or that any peculiar difficulties will present themselves in providing non-British commands. In spite of general disarmament and physical degeneration, for which the Arms Act in India is mostly responsi-

ble, the martial races in the Punjab, like the Sikhs and Muslims and the Mahrattas in the South, can still supply a valuable element for the higher ranks. During the Great War the Viceroy's commissioned officers gave proof of their capacity for leadership, and there is no reason to think that when Indians are given the opportunity of holding positions in the higher command, they will be found lacking in that quality.

There is another question with regard to the Army which I desire to bring to the notice of this assembly. It is not quite clear to me why such a large garrison of 60,000 British troops is maintained at such a heavy cost apparently for the preservation of internal peace and order. One British soldier costs four times as much as an Indian soldier.

Sir Phiroze Sethna: Five times as much.

Sardar Ujjal Singh: A British soldier costs four to five times as much as an Indian soldier, and it is difficult to see why so large a garrison should be maintained for the apparent reason of internal peace and order. The Indian Police in times of disorder and outbreaks have been discharging their responsibilities and duties honestly, and there is no reason why Indian soldiers, who are more disciplined, should not be able to discharge their duties honestly and conscientiously. The Army question, instead of offering any insurmountable difficulties, becomes easy of solution if the dead weight of expenditure on British troops is removed and the Indianisation of the higher ranks in the Army earnestly pushed through.

The problem of the Indian States has presented great difficulty, but is fortunately now nearer solution. With the acceptance of the idea of a greater India, united in diversity, and with the willingness of the Princes to join that Federation as free contracting parties, that problem is nearer solution. While the idea of a Federation, in which British India with self-governing Provinces on the one hand, and the Indian States on the other, will fit themselves into a whole for the realisation of common ideals, is an attractive one, it is still a conception which cannot immediately materialise. At the outside we can so frame our constitution as to leave the door open to the Indian States to come in, but in coming to a decision on the exact type of federation we must not forget that India is now rapidly advancing towards nationhood. Nothing should be done which might stifle that process of unification and nationhood: we must guard against any disintegrating tendencies on the part of various units.

Nothing should be done, in particular, to weaken the authority or the prestige of the Central Government, and for this reason I am strongly of opinion that, after distributing as large powers as possible to the Provinces to develop on their own lines, a reserve of power must remain with the Central Government. We must remember that in deciding to have a federal type of government

we are reversing the natural process so far as the Provinces are concerned. The federation of once independent States has usually been an intermediary process towards unification, but here we are trying to create separatist tendencies. History should be our guide, and we should evolve a type of system which may not be strictly federal or strictly unitary, but which is suited to our peculiar conditions and traditions.

The eyes of the world are turned towards this Conference. The fate of one-fifth of the human race hangs on the deleberations round this historic Table. The pledges of British statesmen are on their trials. The patriotism and good sense of various communities are to be tested. I only hope and pray that we may all rise equal to this great occasion, and that the fruits of our labours may lead to a happier and more contented India and to a greater England.

Sir A. P. Patro: After such a surfeit of words, phrases and sentiments, for me to contribute more would only be wearisome, and I am sure I would be trying the patience of this assembly if I were to make a long speech. My object this morning is to place before you certain business propositions derived from experience and knowledge of the working of institutions which were inaugurated under the Montford scheme, in their relation between the Provinces and the Central Government and what should be done with a view to smoothing the path for progress and creating facilities for effective working of responsibility at the Centre and in the Provinces.

I have listened very carefully to the very instructive and interesting address of the representive of the great conservative group, the Rt. Hon. Lord Peel. I appreciate his great sincerity and frankness, and that he is speaking true to the political creed of the great Party. We in Southern India are also styled as a conservative party and a reactionary party, by a certain section of the extreme nationalists. As a conservative party we hold fast to the traditions of the past, and as a nationalist party we want political progress with all other progressive political parties of India.

It will be interesting to you, therefore, to know what the Legislature and the Party, which I have honour to represent and to lead, has to say on the nature of the practical working of the constitution, the defects and the difficulties of the system of Dyarchy. It would be mere waste of time, however, for me at this stage to go *seriatim* into all the defects and difficulties of the present situation. I will only picture to you briefly the conditions and circumstances of working of the administration. The Party consists not only of intelligentsia of the country, but also representatives of the countryside, agriculturists, traders, and small landholders—all classes who had a stake in the country. The Legislative Council of Madras, which co-operated whole-heartedly with the Indian Statutory Commission, has, in communicating the Report of the Committee, resolved emphatically that any grant of political autonomy in the Provinces will be a mere shell without substance, unless responsi-

bility is not conceded at the Central Government. The Justice Party at a great meeting held later, had also unanimously placed on record its sincere desire that the next step in advance should be responsibility at the Centre, and that India should be placed in a position not inferior to that of the States which compose the British Commonwealth of Nations. I may also refer to the view expressed by this great movement in Southern India, Bombay and the Central Provinces, the non-Brahmin movement. It is the sincere wish of the non-Brahmin Party, guided and controlled by experience and knowledge of the working of the institutions of the country, to have responsibility at the Centre. At a meeting of the All-India non-Brahmin Party, held in Bombay and Poona and presided over by myself, it has resolved that it shall stand for full responsibility at the Centre, subject to such safeguards as are necessary and essential for a temporary period, and that India shall be an equal partner in the British Empire.

The system of Dyarchy was worked with varying degrees of success in different Provinces. If in any Province it has not worked successfully, it is not because of want of political capacity in Indians, but because they refused to work a system or an organisation which did not fulfil their expectations and which was so full of defects that they would not work it whole-heartedly. That being so, I would submit to this Conference that the success of the dyarchic experiment in India has not been a failure, as it has been represented to be. We have worked successfully in Madras, we have gained great experience and training. So with others. What then is the next step to be taken, when we have proved that the dyarchic system has been a success, though it has been universally condemned by sections of people who did not dare to undertake the responsibility, who did not put their shoulders to the wheel and carry on the difficult system of administration? Those who did not have the experience of working the system are loudest in condemning the system which they did not know. I am not one of those who think that it deserved such universal condemnation. Like every other institution, its defects are many, its difficulties are varied; but it could be worked successfully, as we have proved in the Madras Presidency. I would ask this Conference to bear with me while I point out how far this system has been successful in improving the condition of the masses generally and in helping the minorities. One of the great problems which this Conference will have to consider is whether the past can be taken as a sure guide for the future. We must test our facts and conclusions. The Legislative Councils all over the country addressed themselves expressly to what are known as "nation building departments." Departments were set up which served to improve the condition of the people of the rural areas. Depressed classes were helped and steps were taken to see that provision was made for their redemption from ignorance and cruel injustice. The problem of the minorities was not neglected. Every time when questions relating to the rights and liberties of

the minorities came up, the Legislature was fair and did not allow any injustice to be done to them. Suggestions of discriminatory legislation, by means of interpolations or resolutions, the House always discouraged. It was the same in the matter of finance; when the revenues of the Presidency were sought to be curtailed, the Legislature vetoed it. I refer to the matter of excise revenue where attempts were made to deal with the problem of temperance. When the question was brought forward, the Councils stood firmly for the policy of temperance, and did not yield to a curtailment of the revenues of the country. While every Council sympathised with the advance of temperance movements, they felt that it must come gradually and also from within. I put forward this illustration because it is common among certain sections of the Nationalists to say that there should be total prohibition. Any amount of talk goes on and it has been suggested that even compulsion should be used. Nevertheless, this testimony shows that the practical wisdom and the common sense of the Legislatures induced them to stand firm and reasonable in the matter. They would not be moved by sentiment and emotion. Therefore I say, though it is an inconvenient illustration, that in any matter relating to the reduction of revenue the Legislative Councils proved their common sense.

Again, in the matter of the relations between the Central Government and the Provinces under the dyarchic system many difficulties were experienced. But we overcame the obstacles in the way and affairs were managed efficiently and satisfactorily as was proved by the testimony of British statesmen and the Report of the Statutory Commission. I would ask you to note facts relating to the maintenance of internal peace and order during the last ten years. In every Province where there were disorders how did the Legislatures deal with the matter? Money and measures were taken by the Governor in Council to maintain peace and order and the Legislatures co-operated with them. Responsible Ministers acted in union in the matter of maintaining law and order with irresponsible Ministers. Both in law and order, in the matter of discriminatory legislation, in paying attention to the rights and liberties of minorities, the Legislatures have proved themselves equal to the task. They have gained experience and training; they have gained knowledge. What is the next step in the constitutional development so that their experience may be utilised in the future?

Remember that, whatever may be the changes decided, whatever may be the constitution framed for the future, the agricultural classes expect that the aim and end of every constitutional change shall be to improve the lot in life of the cultivator, the agriculturist and the masses. If you do not keep in view this aim and if you only provide for the intelligentsia of the country, you will be sorry for having had anything to do with the constitutional problem in India. We have large masses of people to deal with, not the few educated classes. Therefore your reconstruction of the constitution

must be consistent with, and in co-operation with, a spirit of helpfulness to the great people of India.

Now I wish to say a word in reference to what the noble lord, Lord Peel, said with reference to the people of India. It is not correct to say that the political shibboleth or the demands for independence or for the repudiation of debt are the desire of India. That is confined to a certain section of the people. You must visualise India as a continent. Are there not such extreme political parties in England to-day who make the most extreme demands? Are there not political parties in the Dominions who take up extreme positions which you and I would not assent to? You may call it Bolshevism or Socialism or anything you like. There are extreme sections of people all over the world. Therefore these matters should not be taken as anything that should operate to deter the progress of India towards full self-government. You should utilise these forces more profitably and harness them for the good of the people. They are symptoms of the great forces existing in the country, and it will be high statesmanship, it will be true statesmanship, to control these forces and conciliate them and bring about constitutional changes which will keep them within the limits of constitutional methods. It is not too late to do that. As envisaged in the Despatch of the Government of India, you cannot take for granted the passive consent of the people for any legislation or any measure you adopt. It has been visualised in the Despatch of the Government of India that the times are changed and that you must have the willing consent of the people for any measure which Government wish to adopt. Therefore in such a case is it not desirable that you should enlist the sympathy and support of all sections of people who are now co-operating with the administration and will stand by the British Government?

I would like to remind you that the position in the countryside is not as it was ten years ago. I will not take up time by describing fully that position. I have travelled over most of the Provinces and visited many villages to test the real feeling. To-day there is a great awakening in the countryside. You could not have imagined ten years ago that there would be such a transformation worked in the villages by the Panchayat system. The organisation has had an educative influence and made the villagers self reliant. The work of the Local Bodies, wherever they exist, has awakened people to the consciousness of their rights and liberties, and they are working to make those institutions successful and sufficient. In the Taluqs you find Local Boards of various kinds doing an immense work to rouse the people to the sense of responsibility, and to enable them to manage their own affairs. There are Boards and Councils, Education Boards and numerous other institutions which are, day in day out, teaching the people, placing before them their duties and responsibilities, and to-day you will not find many reports which condemn wholesale the valuable work of Local Self-Government that is being carried on in the districts and in the villages.

I have one word more to say. Judging by British standards you may ask what is the percentage of attendance, what is the percentage of voters at the polls, and how are the elections conducted? I do not want to go into details. It is sufficient for me to say that to-day an interest is taken in the election to the Legislative Councils, that you will find that the members of the Councils in most cases look forward to the influence of the ballot box. The ballot box controls the destinies of the British Government here to-day. It is beginning to control affairs in India. So there is this feeling in the country that the people are beginning to manage their own affairs. Why you should refuse to give opportunities for the people to manage their own affairs in the Provinces and at the Centre, they cannot understand. It may be necessary, as my honourable friend, Sir Muhammad Shafi, said, to place temporary restrictions. I accept that there are obstacles, but those are details to be considered later. I do say that you should trust the people who have been able to work well in co-operation with the Government in the past. I do not agree with those who hold that there should be a revolution in the country. I believe, and my party believes, in evolution of constitutional advancement. We say that the introduction of responsible government at the Centre is not a revolution, but is a step in aid of and towards what we ask for—full responsible government later on. It is a step necessary and essential.

Maulana Muhammad Ali: Mr. Chairman, may I exercise the privilege of the invalid and remain seated? My friend, Dr. Moonje, has explained his position as to how he has been called a traitor to his country. I think we are bracketed together here again. As he knows very well, on the day when he and I were to depart from India black flags were to be flown to wish us God speed, and the wishes of people with whom we had been working all these years were that the boat "Viceroy of India" might prove very unseaworthy. Even when I came to this country one newspaper in England which I have helped to stabilise financially —I am very glad to see it has a million sale to-day—the "Daily Herald," published my photograph and called me a convert—I suppose a convert from patriotism to treachery. There is in Parliament, besides the Conservative peer who spoke yesterday frankly and sincerely, another very conservative gentleman, who was my tutor, my professor at Oxford, Sir Charles Oman, and it is from his history that I quote one short sentence which formed the subject of one of the questions asked us in the Indian Civil Service Examination, for which I appeared and failed: "The Saracen alone it was impossible to convert." I do not claim to have in me Aryan blood like all the white people here and Dr. Moonje. I have the blood in me which my Lord Reading—who sent me to prison—has perhaps running in his veins. I am a Semite, and if he has not been converted from Zionism, I too am not converted from Islam, and my anchor holds. I am the only person belonging to my party who has been selected by His Ex-

cellency the Viceroy, or the Government of His Majesty here or whoever it is who has appointed these wonderful Delegates. Whose Delegates we are we do not know. I do not pretend to represent anybody, but I will say this much, and I feel certain that when you have heard me I hope patiently you will say that I am right in my claim, that at least I am not misrepresenting myself, and I think that should be enough. In politics there is too much misrepresentation even of oneself.

In reply to Lord Peel, I will only quote to him from an English poet as I did when we were going through the lobby. I said, "I hope your Lordship is a Conservative and will remain a Conservative; because the only definition that I read of a Conservative was in Tennyson, who said,

> 'He is the best Conservative
> Who lops the mouldered branch away.'"

I think those ideas which Lord Peel expressed, very sincerely and frankly, really represent the mouldered branch which should be lopped away. This is my only answer to him. As regards the other Conservative, our own Prince from India, as regards His Highness the Maharaja Sahib of Rewa, I am not quite sure about his conservatism. If he takes Burke to be a Conservative, and quotes him at the end of his speech, I would say: "Be a Conservative and stick to it." for, quoting Burke, His Highness said, "Small minds and large empires go ill together." If the British Empire—call it Empire, call it Commonwealth of Nations, whatever you choose to call it I do not care—if the British Empire desires to remain big, the small minds that have been visible and audible only too long must disappear. If you had followed Burke, you would not have lost America, and you would not be talking of parity today in building warships. There should be much more talk of charity. And you would not have all those debts to pay. You would not have all that worry. You would not have to go so often to Geneva to the Preparatory Commission for the Disarmament Conference. How long that preparation is going to take Heaven only knows. All these things came in because you forgot your greatest politician, your greatest statesman, who was the man who, in the House of Commons, was called the "dinner bell," because when Burke got up to speak, you all left and went to the dining room. You still do that to people who are like Burke, and I therefore say—and I quote him once again—"Men, not measures." I do not care what constitution you prepare for us; but all would be well if you have got one man in England who is a real man—

> "Oh, God, for a man with heart, head, hand,
> Like some of the simple great ones gone
> For ever and ever by.
> One still strong man in a blatant land,
> Whatever they call him, what care I?—
> Aristocrat, autocrat, democrat—one
> Who can rule and dare not lie."

I hope my old friend Mr. MacDonald will at least prove the man to rule, and that he would not dare to lie to his own Party, to his own conscience and to his country; and if you people of all parties assist him, as you should, I assure you we will make history. But even more than I trust my old friend Mr. Ramsay MacDonald, I, a republican, make this confession, that I place my trust in the man—I call him a man, because "a man's a man for a' that"—who inaugurated this Conference in the Gallery of the House of Lords, whose name is George. Whether you call him His Majesty or whatever you call him, he is a man! He knows India better than any of his Ministers, past or present, and I am looking up to him to do justice to the 320 millions who constitute one-fifth of the whole of humanity, and I am strengthened in that belief by the wonderful patriotism shown by the Princes arrayed over there, the conservative element in India. It must be a revelation to my Lord Peel and to my Lord Reading; it is no revelation to me. I am again a unique person While I am a British subject—though I was yet being excluded from the Indian Civil Service Examination because they said I was not a "natural born British subject"—provisionally they admitted me, till evidence from my mother came in, and they finally admitted me—I happen also to be the subject of an Indian State, and probably in that respect too I am a unique person in this Conference. I was born in a State; I have served in that State; I have served in another State, Baroda—my master the Gaekwar is here; I ate his salt for seven years—and when I was dying two years ago it was an Indian Prince, His Highness of Alwar, who sent me at his own cost to his own doctor here. When I was supposed to be going to die once more at Simla, it was a Prince, whom I was once about to begin to teach as a private tutor, the Nawab Sahib of Bhopal, who exercised the truest hospitality—which the British are not yet exercising—he turned his guest-house into a hospital for me. The British will be extending their hospitality to me in the letter as well as they are doing in the spirit, if they make me a free patient in every hospital that there is. When I was sent to Simla to the hospital I made a judicious separation between two fiancés, a lady on one side and a military officer on the other, who were to be married very shortly. I occupied a room between them! Both were ailing. The lady asked our doctor, when she saw a strange looking Indian coming into the European quarters, "What is this old man ailing from?" The Doctor said, "Ask me rather what the old man is not ailing from." A man with my dilated heart; with my approaching and recurrent blindness through retinitis; with my once gangrened foot, with neuritis—this huge bulking foot through œdema; with albuminuria; with diabetes, and the whole long list that I could give you if Colonel Gidney would not think I was becoming his rival as a medical man. I say no sane man with all these ailments would have travelled seven miles. And yet I have come seven thousand miles of land and sea because, where Islam and India are concerned, I am mad, and, as the "Daily Herald" puts it, I am a "convert": from a "rebel" against the Govern-

ment, I have become a "traitor" to my country, and I am now working "with the Government." I say I can work even with the Devil if it is to be, like this work, in the cause of God.

I hope you will forgive this long introduction about my ill-health and ailments and all sorts of things; but the fact is that to-day the one purpose for which I come is this: that I want to go back to my country if I can go back with the substance of freedom in my hand. Otherwise I will not go back to a slave country. I would even prefer to die in a foreign country so long as it is a free country, and if you do not give us freedom in India you will have to give me a grave here.

I begin with the Conservatives by thanking them. When I met Mr. Baldwin at the dinner which the Government hospitality provided for us, when I was really very ill and ought to have been in bed, I was watching for the cherrywood pipe, and, thank God, it came out. So I went up to Mr. Baldwin, and I said, "In two ways you have made history. Although a Conservative belonging to a party of the so-called idle rich, you have at least been human enough to establish this rule, that where only Coronas could be smoked after dinner an honest man could now bring out his shag, put it into a cherrywood pipe, as I used to do at Oxford, and smoke it." But, as I told him, he has done another historic thing also. He has sent out a Conservative Viceroy of the type of Lord Irwin! If any man has saved the British Empire to-day, it is that tall, thin Christian! If Lord Irwin was not there to-day, heaven only knows what would have happened. At least I would not be the "convert" I am supposed to be. We should not have been at this Round Table. It is for the sake of peace, friendship and freedom that we have come here and I hope we shall go back with all that. If we do not, we go back into the ranks of fighters where we were ten years before. They may now call us traitors to the country. You may then call us rebels or outlaws. We do not care.

I have said something about His Excellency Lord Irwin, but I do not wish to associate all that with his Government. They have woefully mismanaged things. The only good point about their Despatch is that it has provided us with another "historic document." The Simon Commission's Report is not the only document we have to consider. The Despatch is a most disappointing document. The best thing we can do after it is to create our own "historic document" here. The best hearts and the best brains of the two big countries are assembled here. Many who ought to have been here are still in gaol in India. Mr. Jayakar, Sir Tej Sapru, and I tried our hands at peace making between the Viceroy and Gandhiji, but we failed. I was the first in the field, but failed. I hope we shall not fail when we go back to our country this time, carrying with us the substance of freedom.

Lord Peel said, "Oh, yes, but when you go back to your country with a constitution such as you want, those people who are not co-operating will wrest it from your hands." Wrest it! When I can fight the British I can fight the Indians too. But give me

something to fight for. Do not let me have to take back from here a charter of slavery, and then expect me to fight my own people. I could not do it, and if I tried to do it, I should fail. But with freedom in our hands I would gladly go back to those in whose name my friend, Mr. Jayakar, spoke. He claimed to speak for Young India. I think he knows that, although I am older than him in years, I am a younger man in heart, in spirit, in temperament and in love of fighting. I was non-co-operating when Mr. Jayakar was still practising in the Law Court. (Mr. Jayakar shook his head.) Anyhow, he was not in gaol with me. My brother and I were the very first to be sent to gaol by Lord Reading. I bear him no grudge for that; but I want the power also, when Lord Reading goes wrong again in India, to send him to gaol.

I have not come to *ask* for Dominion Status. I do not believe in the *attainment* of Dominion Status. The one thing to which I am committed is complete independence. In Madras in 1927 we passed a resolution making that our goal. In 1928, in the Convention of All Parties, the adoption of the Nehru Report Constitution was moved, the very first clause of which was about Dominion Status. Even my old secretary, Pandit Jawaharlal Nehru, the President of the Congress to-day, was kept down by his father. There is a Persian proverb which says, "Be a dog, do not be a younger brother." And when you see my big brother over there, "Seven feet by five," as Colonel Wedgwood called him, you can well believe I believe in this Persian proverb. In the case of Jawaharlal I would say, "Be a cat, do not be the son of your father." For it was his father who, as President of the Congress, throttled poor Jawaharlal at Calcutta in 1928. Well, I got up in his place, when he could not speak for complete independence, and I opposed the clause dealing with Dominion Status. But in 1929 I would not go further like Jawaharlal and make it my creed, because once we make it our creed in the Congress, we cannot admit anybody into the Congress who does not hold that creed. I liked to keep the door open for negotiation. I would not like to slam the door in the face of anybody. His Excellency Lord Irwin, a Conservative Viceroy, was "The man on the spot." And he was sufficiently impressed by what he saw on the spot and came here. When we come to London we hear that everybody is appealing to "the man in the street." Whether "the man in the street" is ever heard or not, I do not know; but Lord Rothermere and Lord Beaverbrook and everybody else always talk about "the man in the street" as the final court of appeal. In India it is always "the man on the spot." Well, "the man on the spot" came here and he talked to the leading "man in the street," who is presiding here. I am sure he preached to the converted. They brought round Mr. Baldwin also; they brought round some Conservatives; they brought round everybody they could, and made the announcement that Dominion Status was meant, when in 1917 they said "Responsible Government." That cleared the fog which had been created in a very memorable meeting of the Indian Legislative Assembly in 1924 by the Officer in charge of the Home Department at the time, who I am glad is present here to-day.

As I said two or three days ago, India has put on fifty-league boots. We are making forced marches which will astonish the world, and we will not go back to India unless a new Dominion is born. If we go back to India without the birth of a new Dominion we shall go back, believe me, to a lost Dominion. We shall go back to an America. Then you will witness, not within the British Commonwealth or the British Empire, but outside it, with the Indian Princes, with Dr. Moonje, with Mr. Jayakar, with myself and my brother, a Free and United States of India. It will be something more than that. As I wrote shortly after leaving Oxford long years ago, in India we shall have something better than an America, because we shall not only have a United States, but we shall have United Faiths.

> "Not like to like, but like in difference;
> Self-reverent each and reverencing each;
> Distinct in individualities,
> But like each other, e'en as those who love."

It is with these passions surging in our hearts that we have come here. It now depends upon our Conservative friends, upon our Radical friends, upon our Labour friends, and still more upon the one man whom I trust more in England than anybody else—His Majesty King George, the grandson of Victoria the Good, whose love for India nobody dare deny. Her whole life was the Magna Charta of India, and in her grandson's time history will be written again like this: "George III lost America. George V won India!"

We are told that there are difficulties. It is said, "Look at the States." But I come from the States, and I know they present no difficulty whatever. "Then there is the Army." Well, what about the Army? It is the biggest indictment against Great Britain that the Army is not ours to-day, and if you ever use that excuse of the Army you will condemn yourselves out of your own mouths. Let me tell you frankly and honestly, but in a friendly way, that your greatest sin was the emasculation of India.

I am glad to hear my friend, Dr. Moonje, say "Hear, hear." I was very sorry to hear him talk about our people being fired upon and therefore running away for a time and then coming back. We have 320,000,000 of people. When they can afford to die in millions from famine and from plagues, surely they can afford to die from British bullets too. That is the lesson which Gandhiji wanted to teach us, and that is the lesson which we must learn now. In 1913 I was in this country when Gandhi was leading his movement in South Africa. Mr. G. K. Chesterton presided over a meeting in the Essex Hall, and he called upon me to speak. Other speakers had spoken of Gandhi's new philosophy. I said, "Please understand one thing about that. Whether it is his philosophy or Tolstoy's, Jesus Christ's or mine, it is the universal human philosophy." Nobody wins in a battle if there is merely the will to kill. You

must have the will to die even before the will to kill. In India we have not the power to kill, but the moment we develop the will to die, numbers will tell. 320,000,000 of people cannot be killed. There is no mechanization for which you can find money to kill 320,000,000 people. Even if you have got that mechanization, even if you have got the *material*, you have not the *morale* (or *immorale*) to dare to kill 320,000,000 people. We must have in us the will to die for the birth of India as a free and united nation. And this we are fast developing. When this has been fully developed what can you do? I do not for a moment imagine that you could find in all England a hundred men so hard-hearted and callous as to fire for long on unarmed and non-violent people ready to die for the freedom of their country. No; I do not think so badly of English soldiers.

The real problem which is upsetting us all the time has been the third problem, the Hindu-Muslim problem; but that is no problem at all. The fact is that the Hindu-Muslim difficulty, like the Army difficulty, is of your own creation. But not altogether. It is the old maxim of "divide and rule." But there is a division of labour here. We divide and *you* rule. The moment we decide not to divide you will not be able to rule as you are doing to-day. With this determination not to be divided we have come here. Let me assure every British man and woman who thinks of shaping our destinies that the only quarrel between the Hindus and the Muslims to-day is a quarrel that the Muslim is afraid of Hindu domination and the Hindu, I suppose, is afraid of Muslim domination. (*Dr Moonje: No, the Hindu is never afraid.*) Well, I am very glad to hear that. In my country the she-buffalo attacks only when she is afraid, and whatever the reverence of the Hindu for the cow, I am glad he has never the fear of the she-buffalo. I want to get rid of that fear. The very fact that Hindus and Muslims are quarrelling to-day shows that they will not stand British domination either for one single minute. That is the point to grasp. British domination is doomed over India. Is our friendship doomed also? My brother took service under the Government, and served it for 17 years, but he did one thing for me. He sent me to Oxford. He was always taunting me in the non-co-operation days by saying, "You have a soft corner in your heart for that place called Oxford." I must admit that I had. I spent four years there, and I always carry with me the most pleasant recollections of that time, and I want to keep that feeling. I do have a very soft corner in my heart for my Alma Mater. But I can taunt my brother, too. When he was being tried at Karachi, when the jury let us off, and there was a British juryman among them, they voted for our release because we were such a sporting lot, my big brother said: "Even if it becomes my duty to kill the first Englishman I come across, if he happens to have blue eyes, my knife will not work, because I shall think of the eyes of Theodore Beck, my late Principal at my old college, Aligarh." There are several Aligarh Old Boys here, and they can bear witness to the fact that we who were brought up at Aligarh by Beck could never be without a soft corner in our hearts for Englishmen. Therefore, even if British domination is

history taught us in our schools for political purposes. If that feeling, which writes "Révanche" so large over the politics of certain people in India, existed as it does, and if it existed to the extent which it does to-day, and the Mussalmans were everywhere in a minority of 25 per cent. and the Hindus were everywhere in a majority of 66 per cent., I could see no ray of hope to-day; but thanks to the gerrymandering of our saints and our soldiers, if there are Provinces like that of my friend Dr. Moonje, in which I am only 4 per cent., there are other Provinces where I am 93 per cent., as in the Province of my friend Nawab Sir Abdul Qaiyum, for which we demand equal freedom. There is the old Province of Sind, where the Mussalmans first landed, where they are 73 per cent., in the Punjab they are 56 per cent., and in Bengal 54 per cent. That gives us our safeguard, for we demand hostages as we have willingly given hostages to Hindus in the other Provinces where they form huge majorities.

I want you to realise that for the first time you are introducing a big revolution into India; for the first time majority rule is to be introduced into India. In the days of Lord Rama there was no majority rule, or he would not have been exiled. The old Pandu and Kuru rulers, who gambled their kingdoms away, did not have majority rule. Mahmud of Ghazni and Akbar and Aurengzeb did not have majority rule, nor did Sivaji; when Ranjit Singh ruled in the Punjab, he too did not have majority rule; when Warren Hastings and Clive ruled India, they did not have majority rule: and even in the days of Lord Irwin there is no majority rule. For the first time in India we are going to introduce majority rule, and I, belonging to a minority community, accept that majority rule, although I know very well that if 51 people say that 2 and 2 make 5, and 49 people say that 2 and 2 make 4, the fact that 51 say that 2 and 2 make 5 does not cause them to make 5. Still, I am prepared to submit to majority rule. Luckily, however, there are Mussalman majorities in certain Provinces, and with the federal form of government, which is suited to India, not only for the solution of the Hindu-Muslim problem, but is essential for the sake of the Princes also, this is in our favour. The centrifugal and centripetal tendencies are so well balanced in India that we are bound to have a federal system of government there, not as a distant ideal as the Government of India says, but to-day, now, this minute. We shall leave this Conference only with federation established in India, with new treaties made with the Princes, with the consent of the Crown and the Princes.

I sometimes hear it said that nothing can be done without the consent of the Princes. No, Your Highnesses, we, Our Lownesses, will do nothing without your consent. But when, at the end of 1857, the powers of the East India Company were transferred to the Crown, nobody ever thought of asking for your consent. There was not so much as "By your leave." Your relationship with the Crown was established merely *ipso facto*, but it was with a family of Kings and Queens who were really good people, many of whom

[illegible] the King [illegible] gives us hope.

One more word and I have done. I wish to say just this about the Army. I am giving away a secret in regard to the Army now. When, ten years ago, H.R.H. the Duke of Connaught was sent to India to open the Indian Legislature, Mahatma Gandhi, Pandit Motilal Nehru and myself were invited by our late lamented dear friend C. R. Das, whom our eyes seek in vain to-day at this Table, and who would have been with Motilal Nehru and Mahatma Gandhi also at this Table had he been alive to-day, for he was a man of imagination. Gandhiji and I were putting up together as the guests of Das, and I was acting as Lord Chamberlain to Mahatma Gandhi. Any number of people were coming to see Mahatma Gandhi and to touch his feet. I wish he had had the feet of a centipede, but even then he could not have coped with the thousands who came to touch his feet; and in trying to satisfy them and spare Gandhiji, too, as much as possible, my life was a misery. Amongst these people I saw 10 or 12 tall, turbaned men, not in uniform, but looking and dressed very much alike. I thought they were members of the C.I.D. from the Punjab. My belief, after my arrest and internment in 1915 on the reports of a spy neighbour, is that there is no place where God and the British C.I.D. are not present, so that whatever I say and whatever I do, I say and do in the belief that God Almighty and the British spy are equally omnipresent. I went up to these supposed British spies, and I said, "What can I do for you? I have been doing a lot for the C.I.D. by way of sedition and I should like to do something more." They said, "We do not belong to the C.I.D., we belong to the Army." "Then what," I asked, "are you doing in this seditious house?" They said, "We have come to pay our respects to Mahatma Gandhi; we belong to the escort that has been brought from Poona for the Duke of Connaught." I said if they wanted to see Mahatma Gandhi I would take them in straight away. Mahatma Gandhi asked them whether they were interested in Swaraj, and they said, "Yes." Out of respect for the British Indian Army, I will now stand up and repeat their words. Gandhiji said to them: "Are you interested in Swaraj, you who belong to the Army, and who have been brought as an escort all the way from Poona because they cannot trust the people of Bengal, their first Presidency, for the safety of the Duke of Connaught?" They said, "Only the other day our Colonel on parade told us laughingly something about you, Gandhiji, saying, 'Do you know that bunnia, Gandhi, wants Swaraj for India?' and he laughed, and asked us: 'Do you also want Swaraj?' Of course he expected we would all say 'No, Sir,' but the regiment very quietly said 'Yes, Sir, we also want Swaraj for India'." Then the Colonel, who was terribly shocked, asked them why they wanted Swaraj, and they told him that when they were sent to fight in Europe, even when they saw Belgian soldiers coming back after a defeat, these soldiers would pull themselves up and proudly reply to anyone who asked who they were, "We are Belgians; we belong to the Army of Belgium." Sometimes the French came running back,

but if anybody asked them who they were, they drew themselves up and replied with pride that they belonged to the Army of France. It was the same with the British; but these men said that, even when they had won and had saved the French coast at a critical moment in October, 1914, when anybody asked them who they were, they could not say with equal pride that they belonged to the Army of India, they had to say, "We are British subjects. We belong to the Army of the British Sirkar." Now these men said that they too wanted to stand upright and be able to say, "We belong to the Army of India!" I tell you this is the fact, God's own truth, about the Indian Army. You take a plebiscite of the Indian Army, God Almighty being present, and the British spies, of course, being also present, but some of us also being present, and you will find that we know more than anybody else on that subject. India will defend herself to-day if you honestly want her to do so.

The Government of India Despatch goes further than Sir John Simon's Report and says that the Army should not be under the control of the Government of England but under the Government of India. There are three Members of the Government of India the pigment of whose skin is the same as mine, and in some cases even darker. Two of them were my stable companions in England as students, and the third also studied here at that time. If these people can control the Army, why cannot Sir Tej Bahadur Sapru be Prime Minister of India? Why cannot Sir Muhammad Shafi or Mr. Jinnah be Prime Minister of India, and control the Indian Army? Or why cannot even a humble man like myself or my big brother become the Commander-in-Chief of India? I have no doubt exhausted your patience, but I can assure you my speech has been, so far as I too am concerned, both exhausting and exhaustive. I now take my seat and I hope I shall not be called upon to speak again in the Plenary Conference until you announce, Mr. Chairman, that India is as free as England.

(Before adjourning, the Conference agreed that for future speeches there should be a time-limit of ten minutes, subject to the Chairman's discretion to extend that period in the case of such speakers as he thought fit.)

Plenary Session, 20th November, 1930.

H.H. The Nawab of Bhopal: Mr. Chairman, as several of my brother Princes have already spoken, I will crave your attention for only a few minutes. Time presses, and we are all anxious to get to work in Committee. That being the position, the thought that has been in my mind from the moment when His Majesty the King-Emperor opened the Conference with his gracious words, is that now at last is the opportunity of getting rid for ever of the misunderstandings and the consequent cloud of suspicions that lie between our two nations. We meet in an atmosphere of goodwill, an atmosphere which has been fostered throughout his Viceroyalty by Lord Irwin, one of the greatest of Viceroys, whom India honours as one of the best friends she has ever had, and who has rendered such signal service to his country and ours in striving to bring the two together. In that atmosphere, and with an earnest desire on all sides for free and frank discussion, I have no doubt that we shall be able, under Providence, to settle the essentials which shall secure the future peace, happiness and prosperity of India as a contented member, equal in status with all the rest, of that community of free self-governing nations, which now constitute the British Empire, linked together by united loyalty to His Majesty's Throne and by a corporate ideal of mutual co-operation for the common good.

At the outset of our discussions were set the high standard to which they ought to aspire by the extremely able and thoughtful opening speech of Sir Tej Bahadur Sapru, which has defined the goal towards which India is pressing, and has done so in a manner which, I believe, will be helpful to us all. Speaking for myself, and I am sure, too, on behalf of my brother Princes, I cordially reciprocate his view of the share which the Indian States can contribute in a united federal India, and I particularly endorse his remark that, when the time comes, they will furnish a stabilising factor in the constitution. I note that both he and other speakers recognise that nothing in a system of federation connotes any interference with the internal affairs of the States; that their treaties with the Crown will remain unaltered, unless and until modified by mutual consent, and that it is in matters of common concern, hereafter to be defined by mutual agreement, and in nothing else, that federation will be concerned. On that understanding, only one feature has to be added to the picture, namely, that the federation shall be equal on both sides, and that there can be no question of the status of the States being in any way subordinate to that of the rest of India. On those conditions I cordially agree with the principle of federation. The details will have to be worked out by the Committee already appointed for the purpose and must provide that all States, who agree to participate, even the smallest, shall be properly represented.

In this connection some remarks were made as to interaction between the States and the rest of India. "It is impossible," it

was said, "to conceive of a free British India without conceiving of free Indian States." I fully subscribe to that remark, though not quite in the sense in which the speaker proceeded to develop it. A free Indian State means the disappearance of that doctrine of Paramountcy which has been imported, contrary to our treaties, into the relation between the States and the Paramount Power, and which has been so much in vogue in comparatively recent times. That, Sir, is one of the facts to be kept steadily in mind. On the other side of the case we Princes have no apprehension as to how the processes at work in the rest of India, where we must rely on democracy not being made a cloak for aggression, will affect our peoples, and we shall be content to leave it to our States to work out their own development.

In this connection, seeing that communal troubles have bulked so largely in the news from India, thus creating an impression that the country is the cockpit of warring sects, and thus standing in the way of her aspirations, I wish to make it clear, as the point has not been brought out hitherto, that among the Princes no rift exists as between Muslims and Hindus, and that in the Indian States communal tension has so rarely occurred that it can be said to be practically non-existent. This fact brings me to a second point, namely, that there is nothing in our respective religions which should tend to such ill-will, and that the reason why it has arisen in British India has been solely political. The various minority movements have exactly the same basis, and equally the attitude of many of the politically minded in India towards Great Britain, which has demonstrated itself at times in ways which are frankly to be deplored, is not, believe me, inspired by racial animosity, but is solely *political*; and as soon as the foundations of the constitution for a self-governing India are well and truly laid these differences, we all believe, will automatically disappear. These are facts which I can state from personal knowledge and without risk of contradiction, because we Indian Princes are not isolated in our States, but, from our very position as Rulers, are bound to keep in touch with the course of events and the trend of thought in other parts of India. We know fully as well as the people of India, represented by the Delegates here present, and possibly more clearly than the British authorities, the amazing growth of the national feeling throughout India of India as India. The enormous importance of these facts is obvious. On the one hand they explain the statement made here on behalf of Young India, that if you give India Dominion Status to-day, in the course of a few months the cry of independence will die of itself. On the other hand I hope that they will go far to allay the doubts with which Lord Peel explained Conservative opinion approaches the solution of the Indian problem.

Turning now for a moment to other matters, which concern the States and will come up for discussion during this Conference, the Chamber of Princes has already expressed itself strongly against the Report of the Indian States Committee and will never be satisfied until their contentions, which were so summarily brushed aside in

that Report receive the detailed investigation they deserve at a regularly constituted inquiry. Since that Report there is more *ex parte* matter under the head of "Relations with States" in the recently published despatch of the Government of India, with which the Princes are just as strongly dissatisfied. These are matters for discussion in Committee and elsewhere. But I am obliged to mention them here in order to place our protest on record at the earliest opportunity and to indicate how much will have to be done in framing the list of matters of common concern, which will hereafter be the sphere of the Federal Council, and in devising a satisfactory impartial tribunal to adjudicate on all matters which may be in dispute between the States and the rest of India, or in which the States may be at variance with the officers of the Crown, with whom they are to be brought into relation in place of the Government of India.

These, Sir, are matters of very great importance to the States, as on them and on the satisfactory development of communications and the finances, the future social progress of the States will largely depend. But the matter of the most cardinal importance is the future constitution of India, which this Conference is here to discuss. The welfare of the States is inseparably bound up with that of the rest of India. I beg, therefore, of the British representatives at the Conference, and those whom they represent, to bear in mind in approaching the problem, that we are an ancient people, compared with whom many of the most powerful countries of the present day are of very recent growth. The Aryans among us have a continuity which stretches back beyond the dawn of history. Islam was a world power at the time of the Norman conquest. The Aryans had an Indian Empire before the Christian era; the Moguls had one to which the countries of Europe sent embassies, and in the last century again has an Indian Empire been evolved under the British Crown. The first two were Eastern. Their influence survives in the world to this day in religion, philosophy, art and science. Now the British Empire has grafted the West on the East; and though, as Easterners, we have our special modes of thought and our own ideals of life, we fully appreciate the great benefits which Great Britain has brought us. Peace and security and the highest standard of administration have been among her gifts, but the greatest of all is that we have again become a united living nation under the Crown. Standing where we do to-day, full of vitality, knowing our resources and our intellects, can we be expected to stand still, even for a time, and watch the rest of the world go on? Should we not enter, as we desire, into the promised land, into that greater sphere, which the genius of the British race has evolved, that of being one of the body of self-governing free Dominions, with equality of status, united in the Empire of the British Crown?

Here in the centre of the Empire St. Paul's stands as the central monument of the British race. A few years ago, though outwardly as fair as ever, it was found to be in serious danger of collapse. All parts of the Empire at once rallied to the rescue, and now the

building stands rejuvenated and strong enough to stand for all time. So, Sir, it is with India. I state, with all the earnestness I can command, that though she stands fair to the eye, the structure is full of fissures; but grout her with the cement of national unity, which is ready to hand, give her national freedom and that equality of status, for which her sons are longing, and she will stand throughout the ages as the noblest and the strongest support of the British Empire.

Mr. Joshi: I propose to make a brief statement on behalf of the workers of India on the momentous problems before this Conference. The workers of India want full responsible self government as much as the other classes. Although, on account of ignorance and illiteracy, they do not formulate their ideas and express their feelings in the same manner as the educated classes, those of us who are in close contact with them know how strong their feelings are and how easily they are aroused.

During my visits to this country I am often asked how the workers will fare in a self governing India. My reply has been that I hope their conditions under self-government will improve, but that, at least, their position will not be worse than it is to-day. That is a cautious reply, but I think it is an entirely adequate one. No special justification is needed for the establishment of self-government in India, it is the retention of foreign domination which requires special justification. While thinking over this subject, I have also asked myself what the British Government has done for the Indian workers and what it can do for them now. Though the British Government has much experience of the evils which generally follow in the wake of industrialisation, they are not able to avoid them in India, when that country gradually developed industries. It is true that Factory Acts were passed from time to time, but the motives of the British Government, through whose pressure in the initial stages the legislation was passed, could easily be questioned; and, as the Government of India was also greatly influenced by European industrialists in India, these measures were very inadequate and could not effectively check the evils which were growing apace. Latterly also some legislation has been passed, through the influence of the International Labour Conferences, and on account of the pressure of the recently started, but rapidly growing, trade union movement in the country. But even these efforts fall short of the needs of the time, on account of the fact that the Government of India and the Provincial Governments are now dominated by the joint influence of the Indian and European industrialists in India. To-day the Secretary of State for India and the British Parliament have practically lost all their power of initiative in the matter, and the workers of India depend solely on the strength of their organisation and on whatever political influence they can bring to bear on the Indian legislatures.

What would have been the condition of Indian workers if British rule had never been established in India is a hypothetical question, but one can draw an inference from the fact that, during the last

ten years, neither the Legislative Assembly nor any Provincial Council has refused to pass any labour legislation brought forward by the Government, and so it may be assumed that the position of Indian workers would not have been worse than it is to-day.

I realise that, even in a self-governing India, Heaven will not immediately descend to earth for the Indian workers; but their chances of success in their struggle will be greater than when they are under a Government which is really responsible neither to the British Parliament nor to the legislatures in India. The struggle will also be made somewhat easier, as the extraordinary influence which the European industrialists in India exercise to-day will be greatly reduced.

But this is not all. My friend Mr. Shiva Rao and myself have come to this Conference in the hope that, with the help and sympathy of the other Delegates, the constitution of a self-governing India will be so framed that the political influence of the workers on their Government will be much greater than it is to-day. For this purpose we should like in the first place the constitution to contain a declaration of the fundamental rights of workers. It is true that such a declaration has not the force of legislation, but none the less it will serve a very useful moral purpose. Secondly, the constitution must be founded upon universal adult suffrage. Much is made of the practical difficulties; it is said the constituencies would be unwieldy, but this difficulty is not expected to disappear at any time, and the Indian masses will never agree to deprive themselves of their rights of citizenship for ever. Much is also made of the difficulties created by illiteracy, but those difficulties exist even to-day in the case of persons already enfranchised or whom it is proposed to enfranchise. The possession of property added to illiteracy does not remove the difficulties which may be due to illiteracy.

Thirdly, without entering on the question of a federal or unitary form of government, the workers of India insist that labour legislation shall always remain a central or federal subject, and that the Central or Federal Government shall always retain to itself the power of control and supervision in its enforcement. If labour legislation and its enforcement are left to Provincial Governments or to the constituent parts of the Federation, labour legislation and its enforcement will be very difficult. If the constitution does not make proper provision for this, it will be utterly useless to the workers. Moreover, labour legislation and its enforcement must remain a central or federal subject for the ratification and enforcement of International Conventions on labour subjects. Here I must draw the attention of the Conference to the fact that by section 9 of Article 405 of the Treaty of Versailles, Part XIII, Labour, a federal State, the power of which to ratify International Conventions is limited, escapes more easily from its international obligations on labour matters. The practical effect of this section of the Peace Treaty to the disadvantage of workers may be judged from the fact that, while even a backward country like India, under

a unitary form of Government, could ratify eleven conventions of the International Labour Conference, advanced countries, like Australia and Canada, under a federal form of government, could ratify only four conventions each. I therefore hope that the power of the Indian Central Government, whether federal or unitary, to ratify international conventions and to secure their enforcement will not be in any way limited. This subject will no doubt be considered by the Royal Commission over which Mr. Whitley has been very ably presiding and, although the Commission may not report before this Conference finishes its work, I have absolutely no doubt in my mind that the Commission will generally support the view that I have put forward.

I must here refer to the position of Indian States, whose coming into the Indian constitution will whole heartedly be welcomed by Indian workers. I hope the representatives of the Princes will agree to a constitution in which labour legislation, as well as its enforcement, for the whole of India, and the ratification of international conventions and their enforcement, will not have unnecessary difficulties due to the form of the constitution. At present the Indian States have done nothing to recognise their international obligations in Labour matters, which I hope they will not hereafter do.

Lastly, may I say that to-day Labour is not the only matter which is internationally considered? The tendency to find an international solution to our difficulties is naturally, and very properly, growing and occupying a wide sphere, and I hope that our Constitution will be so framed in this Conference that India, as a whole, will be able to take full benefit of the international action, and India, as a whole, will also be able to be helpful in the international solution of the difficulties of the world. Whatever form of government we decide to establish in this Conference, let us, at least, do nothing to make future changes in that form practically impossible.

We cannot settle our constitution for all time. If it is found by experience that the form of government, which we settle in this Conference, is not suited to the needs of the future, it should be possible by constitutional means to secure such changes in the form of government as may be found necessary. If my suggestions regarding incorporation of the Declaration of the Fundamental Rights of Indian workers in the constitution and the establishment of universal adult franchise be accepted, as I hope they will be, and if the constitution is so framed that the Central or Federal Government, with or without Indian States included in it, will retain in its hands full authority, without any limitations, regarding labour legislation and its enforcement, and regarding the ratification and enforcement of international conventions and other obligations, the immediate establishment of full self-government in India will not only secure for the workers of India an improvement in their present position, but eventually will enable them to occupy the same position in their country as the workers of Great Britain are occupying in their own.

Begum Shah Nawaz: Mr. Prime Minister, my sister Delegate's presence and mine in this historic gathering is an illustration, indeed, of the fact that the so-called unchanging East is unchanging no longer. Ten years ago who could have thought of Indian women coming to London and taking part in the deliberations of such a Conference? To-day, not only a Hindu, but a Muslim woman, belonging to a family the women of which have always observed strict purdah, is actually sitting with her brothers round the Table in order to evolve a suitable constitution for their country.

This important and historic gathering is unique of its kind, for it is the first time that the Princes and people of India are sitting together, with the representatives of the three great Parties in England, to discuss and frame the future constitution of India. But it is also unique because for the first time women have been admitted to such a gathering.

Sir, we are grateful to you, to the Secretary of State, and to His Excellency Lord Irwin that, when issuing invitations to the representatives of all the parties, you, and they, did not forget that half of the country on which depends the welfare of India's future generation.

Sir, the history of my country is the history of nations who have tried, sometimes successfully, but more often unsuccessfully, to weld together a continent like India into one great empire, one great nation. Most of these nations came from countries near and distant, allured by the rich plains of Hindustan and by its fabulous wealth, beauty and culture. Under some of them India not only enjoyed peace and tranquility, but achieved a high culture and civilisation, thus contributing more than its share to the progress of the world. To-day we are witnessing, not the birth, but the re-birth of a great ancient nation. Sir, very few people in this country realise the tremendous change in our country which has taken place during the last five years. Things have moved and are moving at such a tremendous pace that sometimes we ourselves are startled. In the remote corners of India, in the out of the way places, you will find people, especially young boys and girls, talking of their national aspirations and of the freedom and liberty of their Motherland. There is such an awakening in the youth of the country, both in the rural and urban areas, that it is not possible to check the growing desire, the increasing spirit, which animates them to form themselves into a nation worthy of the name. We, the women of that reviving nation, cannot but rejoice at this awakening. But, happy as we might feel, this brings with it the tremendous responsibility of guiding the younger generations. It is our duty as mothers, as sisters, as wives, to show them the right track and lead them along the straight road.

Sir, the basis of human society is federal. A union of two forms a home, a group of homes is known as a village, villages together become a town, a number of towns form a district, and a federation of districts is called a province or a country. Modern civilisation

government, the reforms advocated by it are always looked upon with suspicion. As soon as we have the legislation of our country in our own hands, we can better do away with some of the social evils existing to-day, just as Japan, Turkey, Persia, Mysore, Baroda, Bhopal, and Travancore have been able to do. Almost as soon as our men got the franchise, they did not hesitate in giving us our share; and now that the women of India are coming forward and taking an active part in the political life of the country, the solution of all these problems will not be difficult to find. With women to guide in social matters, the men of a country can achieve greater success in social reform.

Mr. Chairman, whatever may be the ultimate form of government decided upon, we hope that this Conference will not treat us in the way we have been treated in the Government of India Despatch. The fate of half the population of the country has been decided in one sentence. Had that one sentence said that sex should be no disqualification for women in any way, we would have rejoiced. But to thrash nearly 160 million of His Majesty's subjects by saying that "No special provision should be made for women," shows a complete lack of understanding. But, if others have blundered, we hope and pray that this Conference will not, and that it will give women their adequate share in the administration of their country.

Sir, with your permission, I earnestly appeal to the British Delegates, as well as to my countrymen, to sit around this Table in a spirit of mutual co-operation and good will, with only one aim and one object in view, that of finding a suitable constitution for India; a constitution which, while satisfying the legitimate aspirations of an ancient nation like India, by giving it full Dominion Status, with certain reservations, of course, for the transitional period, the fewer the better, should be the means of removing mistrust and suspicion and should establish an everlasting bond of friendship between England and India.

I appeal to you all; let us not sit down in the spirit of the ruler and the ruled, but as friends, with sympathetic hearts, and open minds, to arrive at a conclusion which will help the suffering masses of the country that we love. India, bruised and aching, is looking up to us—rather not only India, but the whole world is looking up to us—to spread the balm of good will and friendship. Let us not disappoint them. May Almighty God bless our efforts.

Sir Mirza M. Ismail: Mr. Chairman, I shall be as brief as possible. I only wish to say that in the opinion of the States which I am privileged to represent at this Conference—Mysore, Travancore, Cochin and Pudukota—the time has come for making a radical change in the present system of government in India. That is a change which seems equally necessary in the interest of both countries—not more necessary for India than it is for Great Britain; Great Britain, which is only less dear to us than our own Motherland. To my mind the success of this Conference will be judged

mainly by this test: how far have we been able to bring England and India closer together in bonds of true friendship and unity. India wants to remain within the Empire as an equal partner with the rest. She has no desire to sever her connection with Great Britain. As my friend, Mr. Jayakar, said the other day, this cry of independence is only a cry of despair. I would attach no importance to it, save as an indication of the intense desire felt by the people of India generally for greater opportunities of self-expression and self-development.

There is, I believe, general agreement with the view, both in this Conference and outside, that the future government of India should be constructed on a federal basis. What exactly is meant by the term "federal" in its application to the peculiar conditions of India will have to be discussed and determined in Committee. That—I mean the constitution of the Central Government—is the fundamental issue before this Conference.

By agreeing to join an all-India Federation, the Ruling Princes have rendered incalculable service to their Motherland at this most critical juncture in her history. Their attitude has enormously facilitated the work of this Conference and has made the whole political problem of India more easy of a satisfactory solution than it would have been otherwise. I am one of those who entertain no doubt whatever that the Princes will never have any reason to regret their decision, and that they and their States will occupy an honoured and assured position in the future councils of their Motherland. India is a land of many creeds and many communities and diverse interests; but I believe that it is this very diversity that will go far to ensure the requisite stability in the democratic institutions that are proposed to be established in our country.

Another matter upon which we—I mean the Indian section of the Conference—are agreed is that a measure of responsibility should be introduced at the Centre if the constitution is to work satisfactorily and to enjoy an adequate measure of confidence and support from the people. Whatever may be the risks and the difficulties in taking such a step—and they are undoubtedly considerable—the British Government will, we all hope, come to the conclusion that a solution which does not satisfy the people at large is no solution at all. It can neither work smoothly nor endure for any length of time. A constitution which provides full autonomy in the Provinces, responsibility at the Centre—subject to such transitional safeguards as may be necessary and unavoidable—and a close association between British India and the States in matters of common concern—this, let us hope, may be the result of our deliberations here, a result which, I venture to think, would satisfy all reasonable people in India.

In conclusion, I should like to assure my fellow Delegates from British India that we of the Indian States whole-heartedly join with them in their appeal to the British nation to set India on the high road to self-government. I would, at the same time, venture to ask my countrymen to remember—I hope I shall not be misunder-

to be made by a self-governing India. It has been pointed out that if the credit of India were not stabilised and maintained before the world, India's progress would be greatly retarded. True; but does anyone fail to realise that the school of experience is a deep and stern one? Will any person in India, be he the most irresponsible politician, ignore the fact that if India's finances are not based on a sound and orderly basis so that if she goes to the money markets of the world she finds that she cannot raise a loan to-day, to-morrow India is bound to stop all nation-building schemes. Is that not a case of an evil producing its own remedy? Is not the experience of other countries a lesson to us? Is it not a fact that countries belonging to the British Dominions have had their own analogous experiences in this matter? Have they not profited by their experiences? Have not great countries like the United States passed through financial disequilibrium and survived? After all, in financial matters more than in any other, the school of experience is the best school at which to learn, and we shall never learn unless we emerge from the position of being *in statu pupillari*. And after all, there have been very severe critics of the Indian financial policy as handled by "experts".

When we came to this Conference we came in spite of antagonism, but it has been rightly remarked by Lord Peel that the Government of India Despatch has already become out of date. The memorable attitude of the Indian Princes and the line they have taken have made that Despatch absolutely obsolete. The ideal of national federation, not as a dim and distant ideal, but as a matter of practical politics, which is adumbrated and envisaged by the Indian Princes in their assembled wisdom has made the assumptions of the Government of India's Despatch entirely fallacious. But more than that, it must be said that the rapid march of events in India and the integration of thoughts and ideals, which is going on apace, will make all these despatches, memoranda and reports out of date, because every part of India, it must be granted, has now joined together in the determination to solve its own problems through its own men, aided by the best brains, by the best talent and by the best goodwill on the part of Great Britain—but only aided and not directed.

There are two more points with which I desire to deal. Something was said about H. E. The Viceroy's speech and declaration not making any promise of immediate translation of the ideal of self-government into practice. Let us not hear of such arguments in this Conference, I beseech you. The main thing to be decided at this Conference is whether it is possible to go back to India and make for a contented India? There was an idea thrown out somewhat to this effect: "Assume that this Conference arrives at a certain result: what will happen? You will all go back to India and you will probably find that irresponsible men will wrest all the power out of your hands, and that will be to the disadvantage of India and England alike." Make that impossible by your own modest dealing with the situation, and you will make it impossible

day, I am every day more and more astonished at the rapidity, the almost dazzling swiftness, with which the East seems to outdistance the West. Here is a movement which has only just started in India. In my time it was only beginning and yet here we have the ladies present and taking part in our debates.

Let me turn to what, to my mind, is a distinct historical advance in the history of India, which once begun can never stop, once it has left its imprint can never be effaced, which is going to take India farther, perhaps, than some of us ever thought when we have had visions of what India might achieve. We have now our minds enlarged, our area of vision extended, our horizon infinitely widened, because we have the Princes taking part with us and with British India. The Government of India, as you are aware, has always had these two separate limbs, so to speak, of the government. On the one hand, it has to deal with the Princes of India; on the other it deals with British India. Think of the improvement as they have themselves portrayed it in various speeches to-day. Think of all that is open to us if now we proceed together to form a Government for all India, a United States of India, as it has been termed, which will in truth be the greatest conception of federation, should it take place, that the world has yet seen. It is unique in its character and quite remarkable in its extent. There is no sub-continent, no nation in the world that can present to you, to us, to the world, the picture as we see it before us. Never can this be paralleled. Here you have the rulers of great Indian States, the representatives of His Exalted Highness the Nizam of the great and powerful State of Hyderabad, the representative of Mysore, a State which has always, if I may be permitted to say so, taken the lead in the advance towards constitutional government, of Baroda, which certainly has not lingered behind, and of many others. I should like to go right through them, but time does not permit. The very picture they have brought before us shows us the Rulers coming here and taking part with the representatives of British India, because, like them, they feel the call of the Mother-country, and they put before you their desire to join in all that may be for the good of India.

Let me turn to the main subject that we have to discuss, but before doing so I should like to say how deeply impressed I am by the speeches we have heard during the whole course of the discussion and also by the conversations we have had outside this room with those who are representing the various parts of India.

In approaching the subject of India, I speak here to-day on behalf of the Liberal section of Parliament, but I speak also on behalf of myself, and you will permit me to say on my own behalf that I have a profound interest in Indian affairs. I can never forget all that happened in India; I shall always recall it and always have an abiding affection for India and the memories it has left me. I have told you, Sir, that I speak for the Liberals. We are here discussing two main questions, as I understand it. The first is the one propounded by you, Sir, as to whether the future

His Majesty's Government, and, it is hoped, with at any rate some considerable assent. That is the purpose for which we are here, and the ultimate conclusion which will be reached after all our discussions. I have no desire or intention to take up time in discussing the difficulties which must arise. But, Sir, we must speak with sincerity; we must speak with frankness, as all have recognised. You will forgive me if I use a strong expression; it is only expressing what I have heard in different directions from many of you, when I say that it is idle to assert that at this moment there could be anything like equality of status—that is constitutional status—in India with the Dominions. It is idle at this moment because there are other questions which must be discussed, and, indeed, no one could more freely have recognised them than Sir Tej Bahadur Sapru, who introduced the subject. Begin for example with the Army. I am not going to suggest how it should be dealt with. Then there are foreign affairs and a number of other questions. But, in the end, whatever the proposal is it will have to be decided by Parliament; it is Parliament that must consider, and Parliament that has to be persuaded.

Will you let me remind you that there is already a variety of literature available. There is the Simon Commission Report; it is true we know the history of it; it does not commend itself to you, but let me remind you again that it contains a mass of most valuable material, and, speaking for myself, I have the greatest admiration for the work that Sir John Simon has done, and for those who were associated with him in it. Those of you who are, for reasons not to be entered into at the moment, too ready to throw aside the Report of the Simon Commission, may perhaps be more minded to study that of the Government of India. It is striking too in the Report of the Government of India, the Viceroy and the Members of Council, both British and Indian, giving their views, you will find that there is not much difference between that and the conclusions arrived at, in the main, by the Statutory Commission.

I want to pass from that and get to what I conceive to be the subject we are considering to-day—that is, whether or not this government is to be on a federal system. I have one observation with regard to both these Reports. The Statutory Commission lays great stress upon federation, tries all it can to direct our attention to federation, and make it the ultimate goal. The Government of India takes the same view, only regarding it as more distant. Since then, as has been said by more than one speaker, a great change has taken place because of the Princes, and I will refer to their position very briefly. I am dealing mainly with this because it is the subject of the debate before us. The Princes have explained their position. I cannot, of course, enter into discussion of the various considerations put forward. They do not all agree in detail; that was not to be expected. We shall, I hope, arrive at conclusions when we sit around the table and try to settle the great question. But what I do feel is the pertinence

of the poetic exhortation which His Highness the Maharaja of Alwar addressed to us at this Table, and the inspiration which followed from it. I would try and rise with him and all of you to the pinnacles and not lose my way in the woods, where I might not find the straight and clear path. I would keep straight on, looking ahead, striving to banish distrust and to create trust, that we may work together with one understanding, with one purpose, to do the best we can in the interests of India, and that this Federation of all India, this great and mighty conception, may be reached with the assistance of the Princes and of yourselves. In later years we may look back to the days of this Conference and realise that it has the great merit of having declared for this principle of federalism. I hope—but, of course, that is entirely for you—that we may be able by a unanimous conclusion to arrive at the result that we should proceed to consider the federal system, that that should be our work, quite understanding that we are dealing only with the principle, and not with all the details. If we do accomplish that, then this Conference will have succeeded to a great extent at the start, and will have changed the whole aspect of the situation as it existed before the Conference met.

H. H. The Maharaja of Nawanagar: Mr. Prime Minister, before I begin to address this Conference, may I add a word of congratulation to the gracious lady who addressed us this morning. Speaking on behalf of all of us, whether the British Delegations, the Princes, or the other Delegates from India, we congratulate her most heartily on the most wonderful speech that I have heard from the lips of an Indian woman on so momentous an occasion.

Mr. Prime Minister, you have, unfortunately, on this last day, curtailed our time of speaking, and therefore, although I had hoped to address you from notes, yet, lest I should wander and take up too much of your time, I will confine myself to reading what I have to say.

Much has already been said, at this Table, on the supreme gravity of the issues that agitate India to-day; I can hardly add, with any words of mine, to the volume of testimony that is forthcoming from speaker after speaker, who brings to this country very recent and intimate knowledge of the national movement that has long since stepped beyond the proverbial lawyer, and has entered the hearts and homes of all classes of people and in all parts of the country. It is a mass movement that has got in its grip the mind of India—not the literate classes only, as is often alleged in this country. Let that stern fact be clearly recognised and properly appreciated.

I will refer in the first place to a few of the admirable speeches, as for example those of Sir Tej Bahadur Sapru and Sir Muhammad Shafi. I naturally refrain from referring to the utterances of the members of my own Order, because they embodied my own personal views. On many points those that I do refer to were so frank and explicit that, in my humble opinion, the Conference should be

grateful to the speakers for putting the issues on both sides with such clarity. Our congratulations are due to all of them, particularly to Sir Tej Bahadur Sapru for his masterly review of the position in British India to-day, about which he is eminently qualified to speak. We, the Ruling Princes, Sir, represent the conservative element in the Indian polity, and yet we cannot afford to ignore the fact that times are changing rapidly and that the doctrine of *festina lente* is not suitable to the pace of progress which the changing conditions imperatively demand. We have the example of England before us to follow. England preserves even in her wonderful progress a sober conservative outlook and yet takes rapid strides, without losing grip of the essentials of stability.

I must not allow this opportunity to pass without a reference to the striking speech delivered by His Highness The Maharaja of Kashmir, on the opening day of the Conference. In a few well-chosen sentences, His Highness laid before you the ideals which animate us and the expectations which prompted us to attend this Conference.

We have always stood for the steady progress of our country. We have the staunchest possible faith in the destiny of India as a whole. It cannot be otherwise. We have inherited its traditions, its culture, its instincts, its honour. Our ancestors shaped its history at one period or another. We have rejoiced when it prospered, we have suffered when it suffered. On many occasions our blood has been shed in her defence. And though in the altered conditions of to-day we may sometimes be judged harshly even by our own countrymen, we have always held nearest to our heart her prestige and her honour. Sir, it may interest particularly the British Delegates to know that the word " subject " had no place in our vocabulary. In our language our subjects are known as our " praja," which is a Sanscrit word meaning " children ". In that concept there is no tinge of subordination which is implied in the Latin root of the word subject. A Prince and his people—members of a united household living together as father and children is a concept that is very dear to the oriental mind, and it underlies oriental polity. I am not talking just now of the comparative merits of democracy and monarchy. I am only alluding to the culture of India and of the polity to which it gave rise. As His Highness The Maharaja of Bikaner said, traditions of centuries of kingship are ingrained in our being. But we at once recognise the obligations of rulership—the obligations which are immense and proportioned to the sanctity of the united family ideal. Such being the Indian tradition, the solution we are seeking of this problem with which we are confronted, must be found in consonance with that tradition.

My purpose, therefore, is to bring home to this gathering the vital necessity of satisfying the aspirations of India as a whole, if she is to continue as a contented and vigorous member of the British Commonwealth of Nations. I have no hesitation in saying

that her association with Great Britain is not merely a historic event. It is an event of great import. It is providential. It cannot be otherwise, for we find two countries, separated geographically and culturally, though not racially, brought together in the closest contact and the most intimate association. And I say advisedly racially, Sir, because Mr. Baldwin was good enough in a memorable speech he uttered about a year ago, and which created a profound and happy feeling in India, to refer to Indians and Englishmen as coming from the great Aryan stock. "Far away in time, in the dawn of history the greatest race of the many races then emerging from prehistoric mists was the great Aryan race. When that race left the country which it occupied in the Western part of Central Asia, one great branch moved west, and in the course of their wanderings they founded the cities of Athens and Sparta; they founded Rome; they made Europe, and in the veins of the principal nations of Europe flows the blood of their Aryan forefathers. The speech of the Aryans, which they brought with them, has spread throughout Europe. It has spread to America. It has spread to the Dominions beyond the seas. At the same time, one branch went south, and they crossed the Himalayas. They went into the Punjab and they spread through India, and, as an historic fact, æons ago, there stood side by side in their ancestral land, the ancestors of the English people and the ancestors of the Rajputs and of the Brahmins. And now, after æons have passed, the children of the remotest generations from that ancestry have been brought together by the inscrutable decree of Providence, to set themselves to solve the most difficult, the most complicated political problem that has ever been set to any people of the world." As Lord Peel very rightly said, we in India have always appreciated the great work that Britain has done. Britain has done well by India in a variety of ways. She has developed her resources and modernised many of her institutions; above all she has established peace and tranquillity. All this is acknowledged and gratefully appreciated. Three boons in particular stand to the eternal credit of Great Britain. I will give the first place to the *Pax Britannica*, which has enabled India to make much material progress. She has given India a unifying medium through the English language, the noble literature of which has helped to introduce a new spirit of liberty and self respect. Thirdly, India's connection with England has proved to the world that the two countries are complementary to each other, and to-day the world stands to benefit by the mutual "give and take" of the two countries of which they are eminently capable.

Speaking for myself, I have been educated in this country and have spent many years of my life here. England is almost as much my cultural and spiritual home as India; its great institutions and its political life have been to me a perennial source of refreshment. I once belonged to the great political Party of which the Marquis of Reading is so distinguished a representative. From her I have imbibed much that is ennobling and elevating. Mr. President, my hopes centre in the "perpetuation" of the British

connection, which, in my belief, is a guarantee of the advancement of my country and of her future greatness.

Sir Tej Bahadur Sapru has asked us to federate with British India; we are prepared to federate so long as our internal autonomy is preserved and our present hardships are remedied. We, the Ruling Princes, are jealous of interference by others in our methods of government. We therefore feel bound to refrain from making any suggestions about the exclusively domestic problems of British India. Subject to such mutual freedom in internal affairs, let us say that, for all questions of common concern, we regard federation with British India as being both possible and desirable at the earliest date. As I see the position, British India in federation will continue to manage its own affairs, its great Provinces adjusting their relations between themselves. So also the States—possibly assisted by a States' Council—will continue to manage their own affairs. But for all matters of common concern there must be a Federal Council, composed of authorised representatives from British India and the States. I see no reason why a federation should not be effected as soon as the difficult matters, which fall to be adjusted, can be settled, and I feel sure that only by federation can those aspirations for the dignity and status of India, which we all of us entertain, in due time be achieved, namely, the equality of status with the sister Dominions within the Empire.

But, I must reiterate that no Federation has ever come into being, in which the federal units did not know what their rights were. Therefore while asking for federation, we also ask for the "judicial" ascertainment of the rights of the States. The present position that the Paramount Power can at will over-ride the treaties is extremely unsatisfactory. It is so utterly inconsistent with the Royal Proclamation, in which the world was told that the treaties with the States are inviolate and inviolable, after they had been similarly pronounced to be sacred and sacrosanct. But for the existence of the States there would have been no use of the words Paramount Power. I am making no secret about the feeling of uncertainty and insecurity in which the States have been plunged by the enunciation of a doctrine which empowers the Government of India to over-ride all treaties, engagements and sanads on the plea of Paramountcy. I would plead, with all the emphasis at my command, that this uncertainty should cease, and that all vagueness attaching to the conception of Paramountcy should give place to a clear formula which should be the outcome of a considered decision given by a competent and impartial tribunal. The Butler Report, the Simon Report, the Government of India Despatch have all failed to satisfy the parties concerned.

A contented India is, it is superfluous to say, an economic necessity. It is our keen desire to see that trade between England and India develops in volume and importance. A large number of my subjects and those of my neighbour, His Highness The Maharao of Kutch, reside in Bombay and carry on business in cloth. I know as a positive fact that their annual turnover goes

over 23 million sterling or 30 crores of rupees. It is not a small stake that these merchants of ours possess in the Bombay market. But both I and the Maharao of Kutch are helpless at the present moment. The policy of boycott, which, may I tell you, is gaining in strength as time goes by, hits them very hard, and it would be useless on our part to induce them to resume their trade relations with British merchants in the present circumstances, because it would be futile. An early settlement, therefore, of the Indian problem is of the utmost importance. If Manchester is prosperous again, a great deal of unemployment in the North would disappear.

So far as all those present at this Conference desire to remain within the British Empire as equal partners, in so far as we all are sincerely firm in our devotion to the King-Emperor, what is the obstacle in the way of conceding India's demand? At any rate what is to prevent a declaration of policy by His Majesty's Government at this late date? Such a declaration, with the association of several parliamentary Parties, will greatly facilitate the work of the Committees to be appointed. One thing is certain. If those who have come to this Conference go back to India without the Parliament of Britain making it clear that the minimum constitutional demands of India as a whole will be conceded, not only will this Conference have been held in vain, but I am much afraid that such a fiasco would strengthen beyond measure the extremist party in India. I therefore submit, in the interests of both countries, both of which I love, with all the emphasis at my command that the recognition of India's status within the Empire and her right to be mistress of her own affairs, as early as reasonably possible, should not be left in any doubt.

Sir Provash Chunder Mitter: I have been honoured by the landlords, representing the different Provinces and their important interests, to be their spokesman on this historic occasion. I have been charged with this duty by, amongst others, men like Nawab Sir Ahmad Said Khan of Chhitari from the United Provinces, the Maharajadhiraja of Darbhanga of Bihar and Orissa, and the Raja of Parlakimedi, Madras. They in their turn have varied experience and wide interests. I also represent the landlords of my own Province of Bengal, large and small, and that wider circle, including the landlords, who desire self-government for India as an integral part of the British Empire.

The discussions, to which we have hitherto listened, have, I think, made it abundantly clear that on the British Indian side, both amongst the Muslims and amongst the Hindus, there is a passionate desire for responsibility in the Centre. When leaders of experience, position and moderation, like Sir Muhammad Shafi on the Muslim side, and like my esteemed friend, Sir Tej Bahadur Sapru, on the Hindu, have asked for responsibility at the Centre, when Their Highnesses the Indian Princes have shown such sympathy with British Indian aspirations, we can easily draw the conclusion that the desire for such responsibility is almost universal. The landlords, Sir, are as keen as any other section of their countrymen on

the question of self-government, but being in a minority, they naturally desire a constitution which will ensure the protection of their interests along with those of the other minorities. They also desire that their class should have separate and adequate representation both in the Provinces and in the Centre. They would further point out that, in order to make responsible government a success, there must be justice to all classes and interests, including theirs. They feel, like others, the urgent need for the establishment of calmness and peace in the country; indeed, they feel it more than dwellers in urban areas. They realise that progress must depend on the maintenance of social equilibrium, and that the stable elements should have their place in the new constitution. They feel that no political arrangement in India has a chance of success which is not firmly rooted in the structure of Indian society.

The landlords, Sir, are naturally more intimately concerned with the rural areas, and with the interests and problems of such areas, and we know that more than 226 millions out of the 247 millions in British India live in rural areas. Self-government in India will not be worthy of the name unless adequate and suitable—mark the word suitable—representation be given to rural areas and to the classes intimately concerned with those interests. Adequate provision should therefore be made not only for the suitable representation of rural areas, but also for improving their present educational and economic conditions.

Now, Sir, we are repeatedly told that self-government in India is really a graft and not a growth. Is that so? In the urban areas, with 50 years of experience in municipal politics and later in council elections, with the keen desire of the educated classes to follow Western systems, is self-government not yet a growth in urban areas? But if you turn to the rural areas, if you approach the question of self-government in rural areas as an Indian problem, I venture to submit that you should look upon it in true perspective and then you will see that it is really a growth. When dynasties tumbled, when Empires faded, when legions thundered by, the village communities of India had their own self-government, and self-government under those conditions is much more difficult than self-government in the static state of society which you have in England or in many of the Western countries. But, mind you, in framing the constitution for the future self-government of India do not forget the kind of self-government to which our rural areas are accustomed. In course of time, in the course of another 40-50 years, given the chance, the rural areas will appreciate the ballot box and will be able to use the ballot box as efficiently as the urban areas.

There is another point which, speaking on behalf of rural interests and also on behalf of the landlords who are intimately concerned with rural interests, I desire to make and that is the inadequate provision which has hitherto been made for social services in rural areas. Even from the narrowest point of view the landlord cannot collect his rents unless his tenants are pros-

persons. In this connection I will refer to the Simon Commission's Report, and draw my conclusion from what is therein described. The average income of a native of these Isles is £100 a year. The average income of the Indian, according to the most optimistic estimate accepted by the Simon Commission, is Rs. 107 a year. According to a less optimistic estimate it is only Rs. 80. The British Delegations are familiar with the unemployment problem in this country. Comparing an annual average income of £100 a year in these Isles, what is £6 or £8 a year in the case of a native of India, in spite of the advantages of a tropical climate? And this figure represents the average income, including the income of rich and poor, and including the income of the urban areas. With your knowledge of the acuteness of the unemployment problem in your country on £100 a year, you should appreciate what human existence must be on an income of £6 or £8 a year.

But what is the good of stating all this unless you British and we Indians join our hands in uplifting 250,000,000 of our fellow beings? The three political Parties of this country can really give us a helping hand. In the limited time at my disposal I will not go into details, but, if the British Delegations will give me a chance, I venture to say that I shall be able to place before them a scheme by which your unemployment problem will be rapidly reduced and by which the problem of India—namely, the uplift of the rural masses—will be solved in a comparatively quick time.

Before I conclude I would like to refer to two important speeches—one by Lord Peel and the other by Lord Reading. I could follow the speech of Lord Peel; I could see the difficulties he pointed out; but, with the utmost respect—and perhaps he was carried away by his usual eloquence—I could not understand whether Lord Reading really wanted to give us self-government immediately. But I could see Lord Peel's attitude. His attitude was, "Yes, we may be prepared to meet you if you can remove certain difficulties; for instance, if you can set up a constitution which will ensure a stable state of society." There was one very important point raised by Lord Peel. He said that if we representatives of India, and the Princes of India, go back having attained our object, there is a very strong party in India which will wrest power from our hands. Let me assure Lord Peel that if the sentiments of the people be satisfied, there will be a large section of extremists who, like the suffragettes of your country, will be reconciled; but let me at the same time tell some of my Indian friends here that there will remain a section who may not and will not be reconciled. You may, the British and Indian Delegates, take that into account in framing the constitution, but if you give us a constitution such as we want the position will be infinitely better, if you concede to the sentiment of the people, with due safeguards.

One word more. I would like to ask you to realise what will be the position if you can freely affiliate India to you—a self-governing India. I make bold to say that if that ideal be attained world

peace is assured. Such affiliation will make Britain's position in the world pre-eminent, not only in the sphere of trade and commerce, but also as a most important and effective factor in maintaining world peace. The Great War has demonstrated the possibilities of India in men and money, assembled at short notice; but with a self-governing India, truly affiliated to England, the resources in men and materials which will be available to the British Commonwealth of Nations will be very much larger than the contribution of India during the World War. With this reserve strength, England, the head of that confederacy, will reach a position which no other power in the world would ever approach. Such a consummation may lead to the realization of a new world ideal. If that position is ever attained, perhaps the poet's dream may cease to be a dream and prove to be a reality. It may then mean a world where the war drum will throb no longer in the Parliament of Man and the Federation of the World. Is not that ideal worth striving for? Should we not, as citizens of a world where, through God's grace, I firmly believe, an increasing purpose runs, strive for such an ideal?

Dr. Ambedkar: Mr. Chairman: My purpose in rising to address this Conference, is principally to place before it the point of view of the depressed classes, whom I and my colleague, Rao Bahadur Srinivasan, have the honour to represent, regarding the question of constitutional reform. It is a point of view of 43,000,000 people, or one-fifth of the total population of British India. The depressed classes form a group by themselves which is distinct and separate from the Muhammadans, and, although they are included among the Hindus, they in no sense form an integral part of that community. Not only have they a separate existence, but they have also assigned to them a status which is invidiously distinct from the status occupied by any other community in India. There are communities in India which occupy a lower and a subordinate position; but the position assigned to the depressed classes is totally different. It is one which is midway between that of the serf and the slave, and which may, for convenience, be called servile—with this difference, that the serf and the slave were permitted to have physical contact, from which the depressed classes are debarred. What is worse is that this enforced servility and bar to human intercourse, due to their untouchability, involves not merely the possibility of discrimination in public life, but actually works out as a positive denial of all equality of opportunity and the denial of those most elementary of civic rights on which all human existence depends. I am sure that the point of view of such a community, as large as the population of England or of France, and so heavily handicapped in the struggle for existence, cannot but have some bearing on the right sort of solution of the political problem, and I am anxious that this Conference should be placed in possession of that point of view at the very start.

That point of view I will try to put as briefly as I can. It is this: that the bureaucratic form of government in India should be

replaced by a government which will be a government of the people by the people and for the people. This statement of the view of the depressed classes I am sure will be received with some surprise in certain quarters. The tie that bound the depressed classes to the British has been of a unique character. The depressed classes welcomed the British as their deliverers from age-long tyranny and oppression by the orthodox Hindus. They fought their battles against the Hindus, the Mussalmans and the Sikhs, and won for them this great Empire of India. The British, on their side, assumed the role of trustees for the depressed classes. In view of such an intimate relationship between the parties, this change in the attitude of the depressed classes towards British Rule in India is undoubtedly a most momentous phenomenon. But the reasons for this change of attitude are not far to seek. We have not taken this decision simply because we wish to throw in our lot with the majority. Indeed, as you know, there is not much love lost between the majority and the particular minority I represent. Ours is an independent decision. We have judged of the existing administration solely in the light of our own circumstances and we have found it wanting in some of the most essential elements of a good government. When we compare our present position with the one which it was our lot to bear in Indian society of the pre-British days, we find that, instead of marching on, we are only marking time. Before the British, we were in the loathsome condition due to our untouchability. Has the British Government done anything to remove it? Before the British, we could not draw water from the village well. Has the British Government secured us the right to the well? Before the British, we could not enter the temple. Can we enter now? Before the British, we were denied entry into the Police Force. Does the British Government admit us in the Force? Before the British, we were not allowed to serve in the Military. Is that career now open to us? To none of these questions can we give an affirmative answer. That the British, who have held so large a sway over us for such a long time, have done some good we cheerfully acknowledge. But there is certainly no fundamental change in our position. Indeed, so far as we are concerned, the British Government has accepted the social arrangements as it found them, and has preserved them faithfully in the manner of the Chinese tailor who, when given an old coat as a pattern, produced with pride an exact replica, rents, patches and all. Our wrongs have remained as open sores and they have not been righted, although 150 years of British rule have rolled away.

We do not accuse the British of indifference or want of sympathy. What we do find is that they are quite incompetent to tackle our problem. If the case was one of indifference only it would have been a matter of small moment, and it would not have made such a profound change in our attitude. But what we have come to realise on a deeper analysis of the situation is that it is not merely a case of indifference, rather it is a case of sheer incompetence to undertake the task. The depressed classes find that the

British Government in India suffers from two very serious limitations. There is first of all an internal limitation which arises from the character, motives and interests of those who are in power, which prevents them from appreciating the living forces operating in our society, makes them indifferent and inimical to its aspirations, and apathetic to our education. It is not because they cannot help us in these things but because it is against their character, motives and interests to do so. The second consideration that limits its authority is the mortal fear it has of external resistance. The Government of India does realise the necessity of removing the social evils which are eating into the vitals of Indian society and which have blighted the lives of the downtrodden classes for so many years. The Government of India does realise that the landlords are squeezing the masses dry, and the capitalists are not giving the labourers a living wage and decent conditions of work. Yet it is a most painful thing that it has not dared to touch any of these evils. Why? Is it because it has no legal powers to remove them? No. The reason why it does not intervene is because it is afraid that its intervention to amend the existing code of social and economic life, will give rise to resistance. Of what good is such a Government to anybody? Under a Government, paralysed between two such limitations, much that goes to make life good must remain held up. We must have a Government in which the men in power will give their undivided allegiance to the best interest of the country. We must have a Government in which men in power, knowing where obedience will end and resistance will begin, will not be afraid to amend the social and economic code of life which the dictates of justice and expediency so urgently call for. This *rôle* the British Government will never be able to play. It is only a government which is of the people, for the people and by the people that will make this possible.

These are some of the questions raised by the depressed classes and the answers which in their view these questions seem to carry. This is therefore the inevitable conclusion which the depressed classes have come to: namely, that the bureaucratic Government of India, with the best of motives, will remain powerless to effect any change so far as our particular grievances are concerned. We feel that nobody can remove our grievances as well as we can, and we cannot remove them unless we get political power in our own hands. No share of this political power can evidently come to us so long as the British Government remains as it is. It is only in a Swaraj constitution that we stand any chance of getting the political power into our own hands, without which we cannot bring salvation to our people.

There is one thing, Sir, to which I wish to draw your particular attention. It is this. I have not used the expression Dominion Status in placing before you the point of view of the depressed classes. I have avoided using it not because I do not understand its implications nor does the omission mean that the depressed classes object to India's attaining Dominion Status. My chief

ground for not using it is that it does not convey the full content of what the depressed classes stand for. The depressed classes, while they stand for Dominion Status with safeguards, wish to lay all the emphasis they can on one question and one question alone. And that question is, how will Dominion India function? Where will the centre of political power be? Who will have it? Will the depressed classes be heirs to it? These are the questions that form their chief concern. The depressed classes feel that they will get no shred of the political power unless the political machinery for the new constitution is of a special make. In the construction of that machine certain hard facts of Indian social life must not be lost sight of. It must be recognised that Indian society is a gradation of castes forming an ascending scale of reverence and a descending scale of contempt—a system which gives no scope for the growth of that sentiment of equality and fraternity so essential for a democratic form of government. It must also be recognised that while the intelligentsia is a very necessary and a very important part of Indian society, it is drawn from its upper strata and, although it speaks in the name of the country and leads the political movement, it has not shed the narrow particularism of the class from which it is drawn. In other words what the depressed classes wish to urge is that the political mechanism must take account of and must have a definite relation to the psychology of the society for which it is devised. Otherwise you are likely to produce a constitution which, however symmetrical, will be a truncated one and a total misfit to the society for which it is designed.

There is one point with which I should like to deal before I close this matter. We are often reminded that the problem of the depressed classes is a social problem and that its solution lies elsewhere than in politics. We take strong exception to this view. We hold that the problem of the depressed classes will never be solved unless they get political power in their own hands. If this is true, and I do not think that the contrary can be maintained, then the problem of the depressed classes is I submit eminently a political problem and must be treated as such. We know that political power is passing from the British into the hands of those who wield such tremendous economic, social and religious sway over our existence. We are willing that it may happen, though the idea of Swaraj recalls to the mind of many of us the tyrannies, oppressions and injustices practised upon us in the past and the fear of their recurrence under Swaraj. We are prepared to take the inevitable risk of the situation in the hope that we shall be installed, in adequate proportion, as the political sovereigns of the country along with our fellow countrymen. But we will consent to that on one condition and that is that the settlement of our problem is not left to time. I am afraid the depressed classes have waited too long for time to work its miracle. At every successive step taken by the British Government to widen the scope of representative government the depressed classes have been systematically left out. No thought has been given to their claim to political

power. I protest with all the emphasis I can that we will not stand this any longer. The settlement of our problem must be a part of the general political settlement and must not be left over to the shifting sands of the sympathy and goodwill of the rulers of the future. The reasons why the depressed classes insist upon it are obvious. Every one of us knows that the man in possession is more powerful than the man who is out of possession. Every one of us also knows that those in possession of power seldom abdicate in favour of those who are out of it. We cannot therefore hope for the effectuation of the settlement of our social problem, if we allow power to slip into the hands of those who stand to lose by settlement unless we are to have another revolution to dethrone those whom we to-day help to ascend the throne of power and prestige. We prefer being despised for too anxious apprehensions, than ruined by too confident a security, and I think it would be just and proper for us to insist that the best guarantee for the settlement of our problem is the adjustment of the political machine itself so as to give us a hold on it, and not the will of those who are contriving to be left in unfettered control of that machine.

What adjustments of the political machine the depressed classes want for their safety and protection I will place before the Conference at the proper time. All I will say at the present moment is that, although we want responsible government, we do not want a Government that will only mean a change of masters. Let the Legislature be fully and really representative if your Executive is going to be fully responsible.

I am sorry Mr. President I had to speak in such plain words. But I saw no help. The depressed classes have had no friend. The Government has all along used them only as an excuse for its continued existence. The Hindus claim them only to deny them or, better still, to appropriate, their rights. The Muhammedans refuse to recognize their separate existence, because they fear that their privileges may be curtailed by the admission of a rival. Depressed by the Government, suppressed by the Hindu and disregarded by the Muslim, we are left in a most intolerable position of utter helplessness to which I am sure there is no parallel and to which I was bound to call attention.

Regarding the other question which is set down for discussion I am sorry it was decided to tag it on to a general debate. Its importance deserved a Session for itself. No justice can be done to it in a passing reference. The subject is one in which the depressed classes are deeply concerned and they regard it as a very vital question. As members of a minority, we look to the Central Government to act as a powerful curb on the provincial majority to save the minorities from the misrule of the majority. As an Indian interested in the growth of Indian nationalism, I must make it plain that I am a strong believer in the unitary form of government and the thought of disturbing it I must confess does not please me very much. This unitary government has been the most potent influence in the building up of the Indian nation.

That process of unification which has been the result of a unified system of government has not been completed and I should be loathe to withdraw this most powerful stimulus in the formative period and before it has worked out its end. However, the question, in the form in which it is placed, is only an academic question and I shall be prepared to consider a federal form, if it can be shown that in it local autonomy is not inconsistent with central unity.

Sir, all that I, as a representative of the depressed classes, need say on their behalf I have said. May I crave your indulgence to permit me as an Indian to say a word or two generally on the situation which we have to meet. So much has been said regarding its gravity that I shall not venture to add a word more to it, although I am no silent spectator of the movement. What I am anxious about is to feel whether we are proceeding on right lines in evolving our solution. What that solution should be rests entirely upon the view that British Delegates choose to take. Addressing myself to them I will say, whether you will meet the situation by conciliation or by applying the iron heel must be a matter for your judgment for the responsibility is entirely yours. To such of you as are partial to the use of force and believe that a régime of *Lettres de cachet* and the *Bastille* will ease the situation let me recall the memorable words of the greatest teacher of political philosophy, Edmund Burke. This is what he said to the British nation when it was faced with the problem of dealing with the American Colonies:—

"The use of force alone is but temporary. It may endure for a moment, but it does not remove the necessity of subduing again: a nation is not governed which is perpetually to be conquered. The next objection to force is its uncertainty. Terror is not always the effect of force, and an armament is not a victory. If you do not succeed, you are without resource; for conciliation failing, force remains, but force failing, no further hope of reconciliation is left. Power and Authority are sometimes bought by kindness, but they can never be begged as alms by an impoverished and defeated violence. A further objection to force is, that you impair the object by your very endeavours to preserve it. The thing you fought for (to wit the loyalty of the people) is not the thing you recover but depreciated, sunk, wasted and consumed in the contest."

The worth and efficacy of this advice you all know. You did not listen to it and you lost the great continent of America. You followed it to the lasting good of yourself and the rest of the Dominions that are with you. To such of you as are willing to adopt a policy of conciliation I should like to say one thing. There seems to be prevalent an impression that the Delegates are called here to argue for and against a case for Dominion Status and that the grant of Dominion Status will be dependent upon which side is the victor in this battle of wits. With due deference to all who are sharpening their wits, I submit that there can be no greater mistake than to make the formula of logic govern so

have an issue. I have no quarrel with logic and logicians. But I warn them against the disaster that is bound to follow, if they are not careful in the selection of the premises they choose to adopt for their deductions. It is all a matter of temper whether you will abide by the fall of your logic, or whether you will refute it, as Dr. Johnson did the paradoxes of Berkeley by trampling them under his foot. I am afraid it is not sufficiently realised that in the present temper of the country no constitution will be workable which is not acceptable to the majority of the people. The time when you were to choose and India was to accept is gone, never to return. Let the consent of the people and not the accident of logic be the touchstone of your new constitution, if you desire that it should be worked.

Mr. Paul. Mr. Pannir Selvam and myself have the honour to represent here a community which numbers five million people. Among the minorities, ours is the next to the Muslims in number. It is a steadily growing community. It has special advantages of education and training which render it far more useful to the country than its numbers would indicate. A big proportion of the elementary education of the country is manned by its men and women; its extended participation in the secondary and collegiate education of the country brings it into valuable contact with the young manhood and womanhood of the whole country. In the essential national service of medical relief for women the pioneering and the steady progress of the service has been possible because of the personnel so readily available from our community. As for our rank and file, we are tillers of the soil, many more of us being labourers than owners of land. In all such ways we are the servants of our Motherland and shall always feel proud to be servants of our Motherland. Though our religion has come from outside, and we derive from it our deepest and most powerful direction for our private and public life and relationships, it should be realised that we have been in India for 1,700 years; that is, for over 700 years before the first Muslim arrivals in India. That section of our community, which is still the wealthiest and the most vigorous, has been in the Hindu kingdoms of Travancore and Cochin from the third century of the Christian era. The next great section was established in the Tamil Kingdoms of the south-east in the twelfth and thirteenth centuries. In all these seventeen centuries, though it will not be right to say that there were no difficulties, in the main it is a fact that we have had freedom and protection under Hindu and Muslim Prince alike. Nor do we feel isolated in point of culture and tradition. We drink from the same founts of literature, art, and music, and, in fact, the most modern tendency of even our religious thought and expression is to relate them, in all loyalty to its great history and tradition, to the categories that are derived from what is characteristically Indian lore. And so with the deliberate advantages that we have of understanding the best in the mind and spirit of Britain, our community in general, and its youth in particular, are now in the

[illegible] the national movement which is surging in the country. This was voiced in no uncertain terms in the resolutions of the All-India Christian Council, which met in Lucknow on the [illegible] I shall [illegible] the second resolution:—

"It is our observation that India has in the last three months expressed in the clearest way and in substantial unanimity that her place in the British Commonwealth should be that of a Dominion, and that immediately. India has indicated this in the most arduous of ways, the way of suffering and self-sacrifice."

The same Council went on to state its views on the Round Table Conference in these terms:

"Our All-India Conference which met in Lahore last December welcomed the proposal of a Round Table Conference. We still believe that the solution to the constitutional problems of India can be found only at a Conference at which the chief interests are adequately and acceptably represented. We do have the faith that H. E. Lord Irwin will recommend for participation in that Conference persons who are competent to express the views of the various important political parties and who are thoroughly acceptable to them. While we do welcome the Conference we wish to make certain points."

I will quote only the first of these:

"The mind of India as regards the main issue has already been indicated through the way of suffering. This should, therefore, be laid down as the limiting scope of the Round Table Conference within which and around which all other problems, great and small, should be worked out. Now that the Viceroy has signified that he cannot give any pledge, the Round Table Conference itself should lay this down as the definition of its scope, should lay down Dominion constitution as the main basis on which all other problems of internal and external relationships and responsibilities, as, *e.g.*, of the Army, be worked out."

I shall be asked what precisely is the attitude of my community as regards the protection of minorities. I am glad to say that this was considered with the greatest care by the All-India Christian Council which laid down its views which we shall place before the relevant Committees or sub-Committees of this Conference. At this time I may be permitted to read only one section of it:

"We are confident that our own community, especially the young generation, is well aware of the fact that the place of a minority in a nation is its value to the whole nation and not merely unto itself. That value depends upon the quality of its life, the standard of its preparation for life's various activities, the strenuousness with which it throws itself into all [illegible] of good services and the genuineness with which it seeks a common weal. We are well aware that in the peculiar social situation in India, even with all the values we have

indicated, there are, and will continue to be, unmerited hardships falling on individuals and groups. But we record our conviction that, while many of such hardships and disabilities will be met by such administrative devices as Public Service Commissions and by reservation in the Legislatures and Councils, the real solution is to be found in the positive and constructive methods of the community, straining every nerve to make itself qualified, efficient, useful, and even indispensable to the nation."

The attitude of our community is thus one of trust and confidence. We do not ignore the *fact* of the minorities problem. Situated, as we are, between two great and powerful communities, we are only too often conscious of the fact that we are just forgotten, sometimes to our serious and lasting injury. But we have every belief that this Conference will find no difficulty in laying down general standards of equitable treatment to all citizens without prejudice or favour. In the first place, we anticipate that in the new constitution of India there will be implemented articles setting forth such standards as were done in the new constitutions which arose at the Treaty of Versailles. In the second place, we anticipate that the Central Government will be made strong enough to oversee the effective maintenance of such standards in actual practice throughout the country in all the Provinces and States. In the third place, and as my final word, I wish to make one point. Our religious life brings us into intimate relations with the life of many nations of the West, and our community is in a peculiar position to appreciate the enormous importance of our country maintaining international relationships on as many lines as possible. We shall fail in our duty if we do not here and now emphasise, what indeed is no new idea to our national leaders, that our Motherland has everything to gain by every tie she makes with other nations, East and West. We would mention this specially at this time because it has a bearing on the structure of our constitution. We are aware and proud of the fact that India, even as a so-called "subject nation," is becoming more and more an influence, through her literature and philosophy, and what I may call her spirit, upon the life and thought and spirit of many nations in both hemispheres. And to-day, when the stigma of political subjection is to be removed from her fair brow, we are anxious that no mistake should be made to weaken her integrity as a united, indivisible entity, which has always stood for something distinctive in the world. In our eagerness to safeguard the autonomy of the units which shall make up the Indian Federation, we have also to safeguard with the greatest jealousy her integrity as a solid well-knit unity with a strong Central Government, which could speak to other nations on behalf of the whole of India, and, where necessary, even make undertakings on behalf of the whole of India in matters of economic, humanitarian, cultural and peace interests. We crave for our India a real place, not merely in the British Commonwealth, but also in the sisterhood of all nations, a place that is real and effective for the good of the entire world.

(The Lord Chancellor, Deputy President, in the Chair.)

Sir Abdul Qaiyum: Mr. Chairman, let me first of all thank the Prime Minister for having given me this early opportunity of speaking to the Conference. I do not know whether it was my extraordinary turban or my long moustaches which attracted his attention, or whether I was called upon because of a sense of justice that the depressed of the South, who had just spoken, should be followed by the depressed of the North. Whether the one or the other, I feel thankful to the Prime Minister. I was not one of those fortunate persons whose names were sent up earlier, and I did not know whether I should ever get an opportunity of speaking to this Conference. I was ignored by all the different sections of the Delegation when they proposed the names of their respective speakers.

Well Sir, when a man of the position of the Prime Minister excuses himself for his awkward Scotch accent, I must excuse myself for my bad English and bad pronunciation, as my English education has been very limited and I have not come into contact with English speaking people very much.

Sir, it is not a speech that I am going to make to this Conference. I cannot make good speeches and impress my points on people by the force of good language and oratory, but I trust you will follow the spirit behind the words. It is an appeal that I am going to make to the Conference—to you, Sir, as the head of the Government, to the British Delegates as representing the various Parties in Parliament, and to my brother Delegates from India, including the Princes. It is an appeal, Sir, from one who has devoted the whole of his life to the service of the Empire, whose services have been appreciated in various ways both by Government and by the public. It is not the word of an agitator or a discontented man, it is the word of a man who has been brought up under the present régime, and who owes a good many obligations both to the present Government of the country and the Empire. Sir, my appeal is on behalf of the people of the North-West Frontier Province, a people who have rendered meritorious service to the Empire, who are the gate keepers, in one sense, of the Indian Empire, who have served that Empire zealously and have proved their loyalty to the Empire and to the country in numerous ways; people who have fought on numerous occasions against their neighbours—who happen to be their own kinsmen in blood—and who have rendered conspicuous services in the recent world-wide war. If you take the percentage of recruitment of the Indian Army during the war, you will find that the North-West Frontier Province stands first throughout India. It is on behalf of that Province, those unfortunate people, that I am going to make this appeal to this Conference and to humanity at large. I do not think it is necessary for me to appeal to my brother Delegates from India, because they fully know the situation. They are thoroughly acquainted with our sentiments and aspirations and with our services, and as I see during the Sessions of this Conference that they are condemning untouchability

and are trying to do away with the depressed classes and are giving them full liberty of self-determination throughout India, I find it unnecessary to appeal to them. I hope they are prepared to grant us equal rights. It is to you, Sir, who appear to be inclined to create untouchability in the twentieth century by out-casting a people, or rather stamping a people as depressed, as inferior, as not entitled to the ordinary citizens' rights in India, it is to you, Sir, that my appeal is chiefly addressed just now. I hope, Sir, that my appeal will not fall on deaf ears. It is a deep feeling that prompts me to speak in such terms as this, but as some of those who have spoken before me have been frank and sincere in their expressions, I hope that I shall not be accused of undue bluntness, if I speak frankly and honestly on this occasion.

(At this point the Prime Minister resumed the Chair.)

Sir, the question before the Conference is, how to satisfy the aspirations of India with respect to her constitutional advancement. Well, I do not think that I am competent to speak on that question, because so far I am outside of a constitution for India. As such I do not feel bound by the regulations of this Conference, and I hope that the rule of ten minutes will not apply to me either. I understand that the trend of opinion in this Conference is towards a federation system. To my mind that is the only way in which India can make progress and be united. But my personal difficulty is, how am I to be fitted in in that Federation? Am I to have equal rights with the rest of India as a unit of British India or of the whole of India, or am I to be kept in the background and ruled in the present despotic way, or remain under a perpetual domination as we may call it? That is my point. I hope I am not going to be treated in any way as an inferior unit in the Federation. I claim equal rights, and I assure the Conference that nothing short of equal rights will satisfy us. That desire has been demonstrated in many ways by our people. We have been clamouring for it during the last ten years, ever since our separation from the Punjab, and we cannot tolerate this stigma of inferiority any longer. When I see that I am in no way inferior to the rest of India in intelligence, in education, in culture or in any other way, I look upon it as a great hardship and sheer injustice when I am told, "You are not going to have equal rights." Numerous excuses have been brought forward by interested people proving my inferiority, but so far not a single argument has convinced me, or will convince any other honest man. When other people are claiming Dominion Status with their caste systems, with their depressed classes, with their untouchability, and with a thousand other difficulties in their way, am I not justified in claiming only a simple equal citizen's right for myself? I have no untouchability in my Province. I have no caste system in my Province. I am a very homogeneous community. There are others who are clamouring for protection, for safeguards for minorities and other things. We have no such difficulty. We are prepared

to satisfy our minorities. We are not so selfish as to refuse them safeguards. We are not so selfish as not to satisfy them. We are prepared to give them every assurance, and, if necessary, safeguards, which will satisfy them. Sir, I do not base my claim on communalism, or policy, or on matters of that sort. These are not the bases of my claim. My claim is simply based on human rights—on rights of equal citizenship, and nothing more. I will not go into the details of my fitness for equal partnership, because I may possibly find an opportunity to express my views more fully on the subject or to offer myself for cross-examination in the Committees; but if I am as unfortunate as I have been in the past, except, of course, when I attracted your attention somehow or another this morning, I may not even get the opportunity of going before a Committee and explaining my views. However, my time is very limited and I cannot go into details of my case.

As I have said before, I feel myself quite fitted intellectually, economically, physically, and in every way for constitutional advance like any other Indian, but there may be some matter of policy behind it. As an old servant of the Crown and of the Indian Empire, I have been associated with trans-border politics the whole of my life. I have served on Border Commissions and Committees on the Frontier and in various other ways. With all this experience behind me, I cannot see any insurmountable difficulty in the way of my progress. I was separated from the Punjab where, for 50 years, I was in the exercise of full fledged rights of citizenship. Nobody said a word about my unfitness. As a matter of fact, I was fitter in my part of the then Punjab than many other parts of the Punjab were. That can be proved by reference to your official records and books. It cannot be denied in the face of the record of our services in the Punjab in various capacities. But the evil day came when we were separated. It was our destiny: it was the hand of God. We deplore that day. We were told that, as a small unit directly connected with the Centre and under the very eye of the Viceroy, we should advance by leaps and bounds. That was why we did not protest against the suggestion. But what do we find now? We are going backward while other people are going forward. We have lost two chances, and now the last chance is going to be lost to us. If you put us one step backwards to-day, we are doomed for ever; we shall never be able to make up the loss, or, in a layman's language, pass two classes in one year and get into the higher class and join our old class-fellows the Punjabis. You may talk about difficulties, and, as an old official, I can guess of these difficulties, but I am prepared to discuss them with you, if you will take me into your confidence. If these difficulties, if any, are not overcome, and I am to be placed a step lower, how am I to get over my difficulty of equal advance? Are you going to give me some additional help and advantages and facilities to make up the loss? Are you going to provide me with extra funds and opportunities to make up the loss? Or are you going to keep me in this state of bondage and depression perpetually? That is the idea, or fear, which has been puzzling and occupying the minds of most of

our people. Hope deferred maketh the heart sick. They have waited too long for the realization of their hopes.

In 1922 we were considered to be quite fit for advance in every respect, and it was merely a question of whether the five districts should be re-amalgamated with the Punjab, or kept as a separate unit. I was the first witness to go before the Bray Committee, which was appointed to inquire into the matter, and I said that if we could have full-fledged reforms as a separate unit, we should prefer it, but that otherwise we should rather like to go back to the Punjab. If, in 1923, we could be entrusted with an elected majority in the proportion of two thirds, you will not be surprised to learn that we thought it a very retrograde move when we read in the Simon Report that we were not to have any elected majority at all, and that the elected element was to be chosen by people who were themselves chiefly nominated; that is to say, people who were themselves nominated were to elect others. I do not want to worry you with these details, but I assure you we are going backward in every respect and that we are consequently very depressed.

We have had a statesman in our part of the country, and I am glad to say he remained with us for a fairly long time; but unfortunately it was during the Great War, and he could not do more for us. He put us on the right lines: he established a first-class college, and gave us education, and if you refer to your official records you will find that his idea was to make that small unit of ours a model Province, educationally, socially, economically, technically and so on. I refer to Sir George Roos-Keppel. Unfortunately his name is not well-known outside my Province or it would have been greeted with more applause.

After that, difficulties have arisen and we have practically started going backwards. If any increase of taxation is passed at the Centre, the law is at once applied to our corner of India, but if it is a question of any reform it is said we are not fit for it. You were not afraid to apply the Child Marriage Act to the North-West Frontier Province, though we did not require it and had no need for it, but you are afraid of applying the Government of India Act to our Province. You are not afraid of applying an obnoxious measure or taxation liabilities to the Frontier, but when it is a question of electing men to deal with the mending of a few roads, the establishment of a few schools, or even a hospital, you say, "It is a great responsibility, and we cannot entrust you with it." When all your able lawyers and judges have failed to trace the guilt or innocence of a person, you refer the matter to us and you allow us to pass a verdict, and, on our passing a verdict of guilty, you sentence the man to 14 years imprisonment; but you will not entrust the mending of a road to us.

Sir, I see that it is not a sin to speak of one's self in this Conference, so I should like to say that I am a person who owns land on both sides of the border, in tribal territory as well as in British territory. I protect myself across the border, and am under the protection of the police inside the border. If I can manage my

I tell you, Sir, this, that I am one of those who believe that no useful purpose will be served by going into that question. Let that question, may I say to those who indulge in it on both sides, be decided by the historians. For my purpose it is enough that Great Britain is in India. I have no hesitation in conceding this proposition—that you have a great interest in India, both commercial and political, and therefore you are a party, if I may say so, gravely interested in the future constitution of India. But when I have said that, I want you equally to concede frankly—and frankness does not mean wounding anybody's feelings, nor that we are embittered by bitterness; it means, as I understand, particularly in a Conference like this, that we should put our point of view frankly and respectfully and without wounding anybody's feelings, and therefore I shall avoid any kind of bitterness. When I have said this, I want you equally to concede that we have a greater and far more vital interest than you have, because you have the financial or commercial interest and the political interest, but to us it is all in all.

Now, in that spirit, you sitting on that side of the Conference and we sitting on this side, let us approach every question. I almost said that really there are four parties, not forgetting the other smaller communities, such as the Sikhs and the Christians, and not forgetting for a single moment the depressed classes. But there are four main parties sitting round the table now. There are the British party, the Indian Princes, the Hindus and the Muslims.

Let us, Sir, consider what is the issue with which we are engaged. Before I come to that issue I want to dispel one thing. There is a certain amount of misunderstanding, or want of understanding. I want you to understand particularly on account of the observations of Lord Peel. Lord Peel said that his Party was gravely disturbed by the non-co-operation movement. Having emphasised that, he concluded by saying that if we came to any agreement and gave you a great advance in the constitution of India, it would be taken advantage of by those who would like to wreck it. Now, Sir, let us understand the position in India. The position in India is this, and let me tell you here again, without mincing any words, that there is no section, whether they are Hindus or Muhammadans or whether they are Sikhs or Christians or Parsis or depressed classes, or even commercial classes, merchants or traders, there is not one section in India that has not emphatically declared that India must have a full measure of self-government. When you say that a large, a very influential, party in India stands for wrecking or misusing the future constitution, I ask you this question. Do you want those parties who have checked, held in abeyance the party that stands for complete independence, do you want those people to go back with this answer from you, that nothing can be done because there is a strong party which will misuse or wreck the constitution which we will get from you? Is that the answer you want to give? Now let me tell you the tremendous fallacy of that

And yet, Sir, the crux of the two speeches of Lord Peel and of Lord Reading is that our differences are still with regard to the pace. Since 1928 two years have passed.

There is one more thing that I want to say. It is this. I think we have lost sight of the announcement and declaration of October 31st 1929, which has created us. From that announcement I will read one passage:

"The Chairman of the Commission has pointed out, in correspondence with the Prime Minister which, I understand, is being published in England, that, as their investigation has proceeded, he and his colleagues have been greatly impressed, in considering the directions which the future constitutional development of India is likely to take, with the importance of bearing in mind the relations which may at some future time develop between British India and the Indian States. In their judgment it is essential that the methods by which this future relationship between these two constituent parts of Greater India can be adjusted should be fully examined. He has further expressed the opinion that if the Commission's Report and the proposals subsequently to be framed by the Government take this wider range, it will appear necessary for the Government to revise the scheme of procedure as at present proposed."

Therefore, Sir, when Lord Peel says that some of the recommendations of the Simon Commission are revolutionary, the Chairman of that Commission himself suggests that, in the light of the inclusion of the Indian Princes, you have not only radically changed the procedure, but the whole aspect of the position is changed altogether. Sir, let me tell you this in conclusion, that, so far as we are concerned the Simon Commission's Report is dead. The Government of India Despatch is already a back number, and there has arisen a new star in our midst to-day, and that is the Indian Princes. Their position has even placed the demand of British India for Dominion Status for the moment in the background, and we are now thinking of a Dominion of All India. Therefore it is no use your believing still in the Report of the Simon Commission or in the Despatch of the Government of India. I must say, in conclusion, that I am very much moved by, and that I welcome warmly, the noble attitude, the patriotic attitude, that the Indian Princes have shown.

There is only one other word I would like to say, because there might be some misapprehension. It was said by His Highness The Maharaja of Patiala and also by His Highness The Jam Sahib that "before we consider the question of All-India federation we must have our status determined and decided by a judicial tribunal." I could not quite appreciate the force of that statement, but may I say to my friends, the States Delegates, that whatever may be their position with regard to the orders that the Government of India may have passed under the present

constitution, that constitution is now in the melting pot, and they do not want anyone else to decide their status and rights. They are here to assert their status and rights. Whatever decisions this Conference may come to and if there is an agreement, and if Parliament gives effect to it, it does not matter what has been laid down in the Butler Report or what has been laid down in the Secretariat of Simla or Delhi.

One more word about Parliament. It was said and emphasised by Lord Peel and by Lord Reading that Parliament must decide this question. We know that. We would not have been here if we did not expect Parliament finally to decide it. But remember, the original idea was that His Majesty's Government, in conference with the leaders of British India and of the Indian States, were to obtain the largest measure of agreement; and that if any such agreement was arrived at, they would put these proposals before Parliament. I am very glad, although I was opposed to the idea of the British Delegations being included—I tell you that frankly—because, as a business man, I thought it was better to negotiate with one than to negotiate with three. It is more difficult to get three to agree. Therefore I was opposed to it. Now you are here. Do not you represent Parliament—the three Parties? You do, and if you come to an agreement are you afraid that Parliament will repudiate it? May I read here what Lord Irwin said about it when this question was raised:

> "It would seem evident, however, that what all people most desire is a solution reached by mutual agreement between Great Britain and India, and that in the present circumstances friendly collaboration between Great Britain and India is a requisite and indispensable condition in order to obtain it. On the one side it is impossible to deny the right of Parliament to form its free and deliberate judgment on the problem, as it would be short-sighted of Parliament to underrate the importance of trying to reach a solution which might carry the willing assent of political India."

In this case now, as the Conference is constituted, it is not only possible to get the willing assent of India but of the British Delegations who represent the three Parties in Parliament. It would be a very bold Parliament indeed that would dare repudiate any agreement that might be arrived at with the widest measure of support at this Table.

Mr. Sastri: Prime Minister, two ideas have emerged from the debates to which we have listened and which now dominate our minds. One is that of Dominion Status for India as the natural outcome of India's constitutional evolution; the other is that of federation as the proper form of the future polity of India, including both British India and the Indian States. This latter idea is comparatively new. We have struggled for Dominion Status for some time, and at last it seems to have found acceptance from the spokesmen to whom we have listened of both

that discontent and you will find them alongside you, working the new constitution that we shall frame to its highest issues, and drawing from those new institutions that we frame all the benefit of which they are capable.

The toils and trials of public life are well-known to us all. I am on the side of law and order. I have never been within proximity of the gaol, but I am a political agitator. I know how near I am to those whose methods I join with you in condemning to-day. Often in my life has the Government viewed my activities with suspicion and set its spies upon me. My life has not been one of unalloyed happiness; my way has not been free from thorns—and, Mr. Prime Minister, your experience is not altogether foreign to them. Let us not be carried away in this matter, then, too much by a sense of self-righteousness. Very little indeed divides those who now champion law and order and those who, impelled by the purest patriotism, have found themselves on the other side. Adopt measures born of conciliation; set the constitution of India in proper order; and we, whom this political difference has unhappily divided, will find ourselves once more co-operators for the welfare and contentment and ordered progress of India. Therein lies the strength of the situation to-day. Our enemies are not bad men; they are good men whom we have alienated by unfortunate political happenings. It is easy to bring them round. Let us make an honest attempt and, by God's grace, our work shall be rewarded both here and in India, and we shall find India once more not only happy within her borders but a contented partner in the British Commonwealth.

Sardar Sahibzada Sultan Ahmed Khan: After the many eloquent speeches to which we have listened during these three days, a very large amount of ground has been covered and it would be futile for me to go over the same ground again. There are a few considerations relating to the States to which I desire to draw attention in very simple words.

That the future Government of India, in which the States may participate, can only be federal, admits of no doubt, for in any arrangement that may be made for the future government of India the States will have, and rightly have, an adequate share and an effective voice. His Highness the Maharaja of Patiala yesterday did well in emphasising the great services the States have rendered to India as a whole, and that is a truth that cannot be emphasised too strongly and too often. There is one general misconception about the States which I should like to attempt to remove. It is generally thought by those, who have no inner knowledge of the conditions, that an Indian Prince is an arbitrary ruler. Nothing can be more removed from the truth. I speak not as an outside observer, but from an inner and a most intimate knowledge of facts. I have been serving the Gwalior State now for more than a quarter of a century, twenty years of which were spent in the closest of administrative association with the

late Maharaja, and, since his death, I have been a member of the Council of Regency. A very tender regard for the feelings and sentiments of all classes of the people, strict meting out of justice, uninfluenced in any way by caste, race or religious leanings or prejudices, these have been the cardinal and guiding principles of rule in Gwalior. The Maharaja lived a most simple life, indeed a frugal life, and worked harder than anyone else in the constant pursuit of the good of his people. His privy purse never exceeded three lacs of rupees a year, and every pie that was saved was earmarked strictly for some State purpose. Such a rule I would not designate as arbitrary. If I can coin an expression I would call it Democratic Autocracy. This might sound a contradiction in terms, but it has the essentials of Democracy, namely, that the supreme law governing all actions of the Government is the sentiments and wishes of the people, and there is the added advantage of quick decision and action. I make bold to say that the States in India would not have lasted, as they have lasted, if they were not the true expressions of the sentiments and feelings of the people.

Now stepping out of the States boundary, we are confronted by a most formidable, complicated and intricate problem in British India. The solution of that problem requires all the calmness, sanity, understanding and sympathy that both the Indians and the English can bring to bear upon it. This can only be if we are fair and just to one another, recognising and sympathising with each other's point of view. A just and unbiased observer will find ample evidence that, despite defects and drawbacks, Englishmen have rendered great and enduring services to India. They have in many directions honestly and earnestly worked for the betterment of the country and its people. Even the Indian National Congress owes its birth to an Englishman, the late Mr. A. O. Hume, a member of the Indian Civil Service. Englishmen in every walk of life have assisted in its growth and development. The late Mr. Yule, a merchant prince of Calcutta, was once its President. So was Mr. Bradlaugh, a Member of Parliament, and Sir William Wedderburn, also a member of the Indian Civil Service. And I need hardly mention the lifelong and devoted service to the cause of Indian uplift of that great Englishwoman, Dr. Annie Besant, who, though over 82 years of age, is still giving her best to India. And it is the result of their great work in India that we are gathered together in this great and epoch-making Conference. It is no small tribute to the great work Englishmen have done in India and for India that there should be in India a practically universal demand for the establishment there of British institutions. On the other hand, I feel no doubt that Englishmen will be the last not to appreciate the desire of Indians for the direction and control of their own affairs. That desire is embedded in human nature. When God sent down manna to the remote ancestors of the human race, a universal prayer went up that they should be furnished with the means of obtaining their own sustenance, as a result of their own efforts. There is nothing to prevent Indians and Englishmen working together in harmony. This

statement I base upon my personal experience. At Gwalior, at one time, working in various departments under me, there were no less than ten Englishmen, and yet I found not the slightest difficulty in dealing with them, and they obeyed orders as any Indian subordinate did. I have Englishmen working under me to-day. An Englishman by his upbringing and training is a well-disciplined individual.

As regards India being made a Dominion, I think the question has two very distinct aspects. One is India having the status of a Dominion, and the other is India functioning as a full-fledged Dominion. Indians are a highly sensitive people; especially on matters of their *izzat* and honour they feel acutely. As they are situated to-day they cannot hold up their heads *vis-à-vis* the people of other countries; they feel a sense of inferiority which cannot but be humiliating. I cannot think that Englishmen, to whom matters of honour and self-respect are of supreme importance, will not sympathise with that sentiment. I think I am right in saying that there is no thinking Indian who believes that, to-day, India is in a position to shoulder the entire responsibility of a full-fledged Dominion; that position can only be reached by stages. Therefore, there is no foundation for the fear that, if India is declared to possess the status of a Dominion, an immediate demand for transferring to Indian shoulders the entire responsibility of government and defence will be made.

The declaration of India as a Dominion will serve a double purpose; it will satisfy the natural desire, nay, the intense craving of Indians to be reckoned as equal partners in the British Commonwealth of Nations, and it will be a sure earnest of the fulfilment of the promise that England desires India to be, in fulness of time, a full-fledged Dominion. I am not without hope that the Indians and English will labour whole-heartedly together for the happiness and prosperity of India. The happiness and prosperity of India mean greater happiness and prosperity for England.

Mr. Mody: In the 10 minutes' existence allowed to me I would have liked to confine myself to a few general observations on the place of commerce and industry in the India of to-morrow which we are met here to fashion; but the trend of the discussions in the last few days makes it impossible that I should remain altogether silent on the political issues that confront India and the Empire.

In the earlier stages of the discussion we heard a great deal of the value of conservatism as a force in the affairs of men. While I admire the courage of those who expounded that ideal, I am afraid I was irresistibly reminded of a schoolboy howler which said that another name for conservatives was preservatives!

Sir, this Conference will fail, and fail miserably, if it does not fix its gaze steadfastly on the goal in view, and if it does not stoutly refuse to be obsessed with the dangers and the difficulties on the way, many of them imaginary.

the surprise is not that India has achieved so little, but that she has achieved anything at all. And when Lord Peel talks of efficiency and enterprise he will concede that it is only by the exercise of those very virtues, namely, of energy, enterprise and efficiency, that India has been able to make the progress she has made in the last fifty years. My friend, Mr. Jinnah, a few minutes ago stated that the commercial classes were ranged with the other interests in demanding a constitution akin to that of the Dominions for India. I would just like to amplify his remarks. The present movement is the work of one man. That man's word is law in the Province from where I come; large masses of people blindly follow his lead. Why is that so? It is because, and I say it without rancour or offence, the commercial classes, which form the most important section in my Province, have come to the conclusion that unless India is politically free she cannot be economically healthy and she cannot build up her trade and industries as she would want to. That conviction is at the root of the movement which we all deplore, and which largely derives its sustenance from the commercial classes.

Much has been said to India's economic position, but the bare fact is that, after a century of civilised and progressive rule, India is still hopelessly poor and singularly ill-equipped to withstand the competition of more highly organised countries. I do not know, Sir, how you will relish being quoted in this connection, but the position could not have been more pithily or effectively put than when you once stated that the poverty of India was not an opinion, it was a fact. And it could not well be otherwise when as much as seventy per cent. of the population is dependent on agriculture, with a poor soil and a capricious monsoon. So long as this state of things continues and industries do not absorb some of the millions who press upon the land, India's position in the world will continue to be weak. That brings me back to my point, that political freedom without economic freedom may mean a snare and a delusion, for India may not be able to work a modern system of government, with all the burdens it entails, unless she is able to build up a vigorous industrial system. Fiscal and financial autonomy are from that point of view essential to her, if she is to occupy an honoured place in the British Commonwealth.

Mr. Fazl-ul-Haq: In the ceaseless flow of oratory which you have permitted, and which even the ten-minutes rule does not seem able to restrict or restrain, there is just a chance of the real issues being completely swept away and of getting out of sight altogether. It seems necessary, therefore, that someone should, at the close of this debate, try to emphasise the task before us. That India wants a full measure of self-government, the fullest that can be accorded her, is beyond controversy. It requires no amount of oratory to convince anyone in this Conference that that is at present the immediate practical demand of united India. There are, however, difficulties in the way, and the real problem is how to give India the fullest measure of responsible government consistent with the

difficulties of the position and the responsibilities of the British nation. That being the simple problem, I submit that no amount of oratory, however loftily conceived, will afford a real solution unless the Delegates assembled at this Conference themselves, by means of negotiations, come to some sort of concession of each others' needs, and present to this Conference an agreed constitution for the government of India. I ask my fellow Delegates to remember that there are before us one of two alternatives: either we will come to some agreement and present a united front, or we will leave it to the British people themselves to prepare for us a constitution for the future government of India. What the Delegates have to consider is this, that there are considerable objections to the latter point of view. If the constitution is framed by the British people it will be framed with some obvious disadvantages. In the first place, we will be facing the hostility of the British nation, if, after sitting a few months here and discussing the question of the future constitution for India, we profess our inability to come to some agreement, and tell them that we are leaving the question in their own hands to decide. Secondly, it will be unsuitable to the Indian people because anything coming from British brains or statesmanship would be unacceptable to various classes, especially the politically-minded people of India. Thirdly, I would refer to the colossal ignorance about India which generally prevails among political leaders in this country. Only the other day, Commander Kenworthy, a Member of Parliament and a very prominent member of the Labour Party, who had been to India and who set himself to say something about the complexities of the Indian problem, contributed an article to the *Review of Reviews* under the heading of "British Policy in India," and there he says:

> "The communal (or religious) differences in India present perhaps the most serious problem of all. It is a fact, admitted to me personally, and regretted, by such great leaders as Gandhi and Malaviya on the Hindu side, and Jinnah and Moonje on the Muslim side, that if anything, the communal differences have become worse in recent years."

I ask the Delegates to consider whether they are not going to make a tremendous effort to settle and compose their differences and come to some settlement, or are they going to leave it to Commander Kenworthy and his colleagues to frame the Indian constitution?

It is to the interest of us all and of the present Party in power to frame a Constitution for the future government of India. The Muhammadan position has been explained by Sir Muhammad Shafi and Mr. Jinnah, and we should compose our differences and come to some agreement which will represent the progressive ideals of our land. The Mussalman is perfectly clear. The moment we are assured that in the future constitution of India, not merely Mussalmans but all minorities, Indian Christians, Sikhs, Parsis, "untouchables," the commercial interests and credit interests, will

be safe and secure, that all the various interests will have the fullest measure of self-determination and self-advancement, we shall not only register our consent, but we shall go much further than the most enthusiastic member of the Indian National Congress in demanding the fullest measure of responsible government for India.

But, Sir, if that is the position, consider for a moment the meaning and the nature of what are suggested as safeguards. I purposely do not wish to use the word "safeguard." It is not a very dignified term. What is really meant is this, that in a democracy the government of the people by the people must be the government of the people by all the people, not the government of the people by only a section of the people. I wish to read out to this House two or three sentences from the words of John Stuart Mill in his well-known book on Representative Government. That great authority says:

> "That the minority must yield to the majority, the smaller number to the greater, is a familiar idea, and accordingly men think that there is no necessity for using their minds any further, and it does not occur to them that there is a medium between allowing the smaller number to be equally powerful with the greater and blotting out the smaller number altogether. The majority of electors would always have a majority of representatives, and a minority of the electors would always have a minority of representatives, but man for man they should be as fully represented as the majority. Unless they are, there is no equal government, but a government of inequality and privilege, one part of the people rule over the rest and there is a part whose equal share of influence in the representation is withheld from them, contrary to all just government, but above all, contrary to the principle of democracy, which professes equality as its very root and foundation."

I am reading these few lines to this Conference because I want to commend them to those brother Delegates of mine who are to form the Committee which is going to be proposed. I submit to this Conference that the present moment is one of the most opportune for settling all those differences which have disgraced the fair name of India. We have in India a Viceroy the very mention of whose name evokes the most enthusiastic gratitude from our people. We have in power a Party in England who are pledged to democracy and to break down all the barriers of inequality between man and man. We have a genuine atmosphere of sympathy, of tolerance and of good will pervading England, which has induced the other political Parties to co-operate with the Party in power in evolving a system of administration which should be acceptable to all. Above all, we see present here a galaxy of Indian Princes who have come down from their high pedestal to brush shoulders with commoners in trying to find a solution for the future government of India. If, in these circumstances, we cannot

European-owned steamship company employed for the carriage of coal from Calcutta to Rangoon for the Burmese railways was about to lapse. An Indian shipping company offered to tender, but received very evasive replies, until one fine day they were told that a fresh contract had already been entered into, and entered into for the long space of ten years; but what is more, although Government were asked as to the rates at which this contract was placed, to this day no answer has been given. May I ask Lord Peel if that constitutes a monopoly or not? It is preference but which amounts to a monopoly. That is not all. Take the case of railway freights. That is one sordid history of the Railway Board endeavouring to help the importer of non-Indian goods to the detriment of Indian enterprise. Take, again, the case of shipping rebates, which amounts to nothing less than the crushing from the start of any Indian-owned steamer company. In a communication by the Bengal Chamber of Commerce it was asserted that European companies had entered into an agreement with the jute mills of Bengal whereby the jute mills promised not to buy any jute carried on Indian vessels. To make it still more difficult, insurance companies, which at that time were mostly non-Indian, raised the rates of insurance premium on jute carried in vessels which were Indian. Is this not a monopoly? Is this not undue preference? This, Sir, is what Indians have suffered from for all these years. My noble Lord said that they were not monopolies, but these were vested interests created by skill, by energy and by commercial enterprise. I submit that Indians are capable of showing the same skill, the same energy and the same commercial enterprise, given the same opportunities. I submit these facts, not in a spirit of animosity, but I quote them in the hope that they will not occur in the future. I say Indians are not given the same opportunities. Blood is thicker than water. An English merchant has ready access to an official. He can settle things very easily, if not at the office then at his club over a peg of whisky or a glass of vermouth, whereas the Indian merchant might have to kick his heels for days, perhaps for weeks, before he can even gain admission to the room of the English official. There was more of this formerly than there is to-day. If that is changed to-day we owe it to that Secretary of State of illustrious memory, than whom no one has done more for India, I mean the late Mr. Edwin Samuel Montagu. I must not forget one other item in regard to monopolies. Are there not many instances of regencies during minorities in Indian States where the Resident, because he was all-powerful during the minority, has given monopolies to European firms to the exclusion of the subjects of the State and of British Indians? I am surprised that my noble Lord is not aware of the facts which I have given, and which I could easily multiply, and which he must have known in his capacity as Secretary of State, which high position he has held more than once.

I mentioned Mr. Montagu's good work for India. I rejoice to find that every single Indian present, whenever the name of Lord Irwin has been mentioned, has applauded it, and rightly so. But, Mr. Prime Minister, there is one other name to which you will

It has been said that if you take a constitution from here, a full democratic government, the moment that is given, power will be wrested from you, the Delegates who come here, by the people who have recently created all the trouble in India. I will not repeat the answer given very effectively to that suggestion by my friend Mr. Sastri. You have to make up your minds what you will do, and I beseech the British Delegations to think of the alternatives before them and to choose wisely. You can satisfy Indian aspirations and give power to India [illegible], and then, as sure as fate, these people whom you call irresponsible at present, who are now creating all the trouble in India, will be the first to come in and work that constitution in an ordered manner. On the other hand, if you do not do that, you can make up your minds—I do not say this as a threat, but with all gravity and with all the emphasis I can command—that the future is very black indeed both for India and England. If you do not grant now what India wants, the position will be this: you will have to enter into a long-drawn struggle, increasing every day. You may put down disorder; you are bound to put it down, and you will do so; but at every stage it will, sooner or later, again break forth with increased vigour, and you cannot rule 320 million people continuously by force and by military power.

I trust, therefore, you will make a wise choice. You can make India discontented, which will mean ruination to her and may mean ruination to England, or you can make now a contented India which will be the brightest jewel in the Empire and its greatest glory, and which will enhance the reputation of the Empire which, with all its faults, has excited not only the admiration, but even the envy of the rest of the world.

Plenary Session, 21st November, 1930.

Raja Sher Muhammad Khan: Before I begin my speech I welcome the ruling of the Chairman that there should be a time-limit on the speeches, because, as a soldier, I am a man of action, not of words.

Mr. Prime Minister, as the representative of the Army, and therefore of the classes from which it is drawn, my first and foremost duty is to reiterate our steadfast loyalty and unshakable devotion to His Imperial Majesty the King-Emperor and his Throne. We are therefore ever ready to uphold the cause of the British Commonwealth of which India forms an integral part. It is not without considerable diffidence that I have risen to address this gathering, wherein is collected together the intellect, the character and the experience of India and Great Britain. I am, and have been, a soldier, content to serve in the Army to the best of my humble and limited ability, taking pride in the performance of those routine duties which, however monotonous they may appear to civilians, are the foundations of true discipline and, through discipline, of [illegible]. I believe, Sir, that the great and noble contribution which the Army can make, and has made in the past, to the solution of India's problems is the building up of a strong, self-reliant, vigorous and self-respecting Indian nation, cemented by those bonds of comradeship, professional pride and military discipline which the people of India have always displayed in the hour of greatest glory.

I am a stranger to politics, ignorant alike of the niceties and subtleties of parliamentary caucus, indifferent to the arts of the demagogue, and impervious to the appeals of self-advertisement. My life has been spent on the battlefields, on the snowy peaks of Asia Minor and the fertile valley of the Nile, and on the rocks of the Frontier, where Sir Abdul Qaiyum owns the land. China, Iraq, Turkey, Egypt and India have been the chief theatres where the regiment, to which I have the honour to belong, has fought. I went through the ordeal of the world-wide war, supremely confident of the justice of our cause, and determined to fight for those principles which were so gloriously vindicated on many a battlefield throughout Europe and Asia. Even now, I can picture to myself the scene. I can recall the field which seemed covered with poppies and call to memory the heroic deeds of thousands of my comrades in arms who laid down their lives with a smile of supreme satisfaction and cheerfully obeyed the call of duty on the inhospitable rocks and inaccessible creeks of the Frontier. While the politicians are busy discussing forms, modes and aspects of the constitution, while they are busy with the permutation and combination of policies, programmes and principles, we martial races of India guard the Frontier from the incessant raids of the stranger. It is the Army which acts as a bulwark against the limitless ambitions and boundless greed, not only of the Trans-border Frontier people, but also of foreign powers. The long coast-line of Madras and

two Muslim districts of Rawalpindi and Jhelum, out of a total male population of a quarter of a million, sent nearly thirty thousand men with the Colours during the last year of the war.

Mr. Prime Minister, I have supplied these figures, not in a spirit of vainglory or self-praise. I have done so because I feel there is a possibility of our losing sight of the fundamental fact that the government is a government of men, and a constitution cannot be manufactured to order. It must be adapted to the capacities, tradition and environment of each country. I have no desire to discuss the political problems which confront you; I do not wish to enlarge on either the necessity or the difficulty of Dominion Status. My point is that any effective scheme of constitution would be a complete failure unless we make adequate provision for the Indian Army. If India wants to be a mistress in her own household, if she is keen on securing a status which will ensure her equality with the Dominions, the problems of the Army must be faced by her with courage and candour. The position now is that the number of Indians who have received commissions in His Majesty's Forces is alarmingly low. The one principle which must be kept permanently in view is that there should be no duality in the Army. The Government has propounded a scheme of duality in the Central Government, the Indian Statutory Commission has devised a still more complicated and unpractical scheme. They recommend the maintenance of an Imperial Army and Dominion Army. In my humble opinion duality in the Army will disorganise the whole machinery of the Army Department. It will produce constant friction, lead innumerable troubles, and lead to extravagance and even chaos. **The Army in India must be one and indivisible.**

Having stated this basic principle, let me deal with some of its implications. If India achieves a federal Government, and I cannot conceive any other form of Government in such a vast country, she will have a national Army, setting the highest standards, organising the resources of men and materials and focussing her needs through the building up of an efficient and striking fighting machine. The national Army must, however, be supplemented by citizen militia or military police maintained by each federal Province of British India. The powers of the national Army over the citizen militia will be varied. There must be co-ordination of supervision and control. I cannot contemplate the possibility of a citizen militia of each province acting independently of others or of the national Army. This would produce chaos and disorder. As British Indian States gain in experience, this control might be relaxed to some extent. Whilst it is essential that the individuality and freedom of the citizen militia of each Province should be maintained intact, it is no less essential that there should be supervision by, and co-ordination with, the national Army. The national Army must be under a Council, consisting of the Viceroy, Commander-in-Chief and other members of specialised experience, *and must be free from the ebb and flow of Assembly politics.* This is my conception of the part which the Army will play in the **centre as well as in the Provinces of federal India.**

This brings me to another problem which the Round Table Conference will have to discuss. One aspect of this is the provision of officers for the Indian Army. I am convinced that excellent material exists in India for officers and that if opportunities were provided for Indians, the requisite number of officers would have been forthcoming in large numbers. It must be admitted that the methods adopted hitherto for the supply of officers have not been satisfactory. I need not go into details, as these problems were discussed exhaustively by the Sandhurst Committee. I am strongly of the opinion that an Indian Sandhurst should be created, and that the number of commissions to be given to Indians should be rapidly increased. It is obvious that the rate of advance will depend upon numerous factors, and I am not going to lay down here the minimum number of years during which the Indian Army should be "Indianised." Again, in our zeal for Indianisation, we must not overlook the important fact that not all parts of India can produce recruits in sufficient numbers. Whatever the theorists may say about the absence of non-martial races in India, the policy of a vivid realization of the fundamental facts of history and physical geography, environment and climate, must be kept permanently in view. There are some parts of India where recruits of the requisite stamp can be raised. There are other parts where the absence of martial tradition, the inclemencies of climate and the nature of environment and occupation render efficient service impossible. If the Army of New India is to be efficient, *it must contain the finest of its manhood, the cream of society. It must consist of men who are determined and prepared to die*, and not logicians who have more physical distrust of [illegible] greater speed than [illegible]. Hence the [illegible] of the martial Provinces should be [illegible] utilised [illegible]. This seems to me to be an indispensable preliminary to a successful experiment in the [illegible] Indianised Army.

I have not discussed the question of the reorganisation of the Army, nor have I dealt with the numerous other problems which arise out of the subjects which I have sketched. It is unnecessary for me to do so, as I think it will be found that a Committee of Defence, which this Conference should establish, will be the proper body for the purpose. Such a Committee seems to me to be absolutely necessary, as the structure of our constitution will be shaky and very unsound until it is based on a practical and efficient system of a national Army from the common Motherland.

Mr. Chintamani: Mr. Prime Minister, as a humble member of the Delegation from British India, and as almost the last speaker from among its ranks, I deem it my duty and privilege to express my profound and respectful appreciation of the valuable contribution which their Highnesses the Ruling Princes have made to the success of these deliberations. In the future India—a united greater India—the part which the Princes have to play will be even more important than that which has already fallen to their lot; and, speaking as a Hindu with the tradition and experience of my race for

views. I express the confident hope that in them federated India will find the best of friends, philosophers and guides.

Next, I ask your permission to express my appreciation of the patience, forbearance and courtesy with which the members of the British Delegations have listened without a word of interruption to many an unpalatable truth which has been driven home to their minds by the speakers from my country. This spirit of discipline, which is but one of the many traits of British character of which I am a profound admirer, conveys to us its own lesson, and I trust I shall have the good fortune, as previous speakers have had, of being given an equally patient hearing for a few minutes.

I am not in the least disturbed by the speech of our ex-Secretary of State, Lord Peel. I read long years ago that the British Tory has a habit of being the most vehement in his protestations just on the point of surrendering a hopelessly untenable position. Sir, the utterances of Lord Peel were mildness itself compared with the strident utterances of some of his colleagues in his Party, and if I were he I should shudder to think of what reception would be accorded to him by the Churchills and the Beaverbrooks of the Party. I hope, Sir, that history will repeat itself, and that the Party of which Lord Peel is a distinguished member will not be slow to profit by the example of the greatest Tory leader of the last century, Mr. Disraeli, and that just as he stole the garments of the Liberal Party and introduced the Reform Bill in 1867, so it will be with Lord Peel's Party and that, if the opportunity falls to them, they will not be slow to take advantage of the spade work that your Party is now doing in order to confer upon India the gift of self government. Lord Peel, as the bearer of a great and historic name, may also profit by the example of his great ancestor, who had no hesitation in giving up Protection and repealing the Corn Laws, that the great grandson will have no hesitation in realising that to obstruct the political advance of India is to stand by a lost cause, and that he will be wise in his day if he will join our ranks and will help us in our advance.

But one word I shall permit myself to say with regard to his observations on commercial monopolies and the conditions by which industrial and commercial advance is guided. As he evidently thinks that there is no injustice or inequality operating against Indians, I desire with all respect to make a present to him of this book, the life of the greatest of India's great industrial captains, J. N. Tata, by an Englishman, Mr. F. R. Harris. If he goes through this book I am sure he will see from many illustrations, fraught with a wealth of detail, that there is justification for the complaints which we utter.

At the commencement of our proceedings I was by no means sure whether Lord Reading had come to pray or to curse, and after listening to his speech of yesterday I am still left in doubt as to what attitude he is going to adopt when the stage comes for concrete proposals. But, Sir, true to the definition of Liberalism, Lord Reading has not stood still during the days that have elapsed since his return from India. He confessed yesterday that he was respon-

Indian editor, I am inclined to pay compliments to the Government of India, I find there in "The Government of India," by J. Ramsay MacDonald, in which there is plenty of ammunition with which to make attacks on that Government. In the preface to your book you said, "India's needs cannot be met by an adjustment here and an adjustment there. They have to be viewed in their wide sweep." In 1928, presiding at the British Commonwealth Labour Conference in London you said: "I hope that within a period of months rather than years there will be a new Dominion added to the Commonwealth of our Dominions, a Dominion of another race, a Dominion that will find self-respect as an equal within the British Commonwealth. I refer to India." And your Party, in 1929, on the eve of the election, said—and this is what your Party is committed to—the Labour Party believed in the right of the Indian people to self-government and self-determination, and the policy of the Labour Government would be one of continuous co-operation with them with the object of establishing India at the earliest possible moment, and by her consent, as an equal partner with the other members of the British Commonwealth of Nations.

Sir, I trust that this Conference, unique and unprecedented in many ways, will propose a measure that will establish a lasting friendship between our two great nations. It is no good following Lord Rosebery and writing efficiency on a clean slate. Efficiency of administration which does not lead to the prosperity, contentment and happiness of the people has no meaning and no reality. After nearly a century and a half of British bureaucratic rule in India illiteracy is still the badge of the tribe. There is poverty which a former Secretary of State the Duke of Argyll, described as poverty worse than any that could be witnessed anywhere in Europe, and there is communal tension, there is incapacity for military defence. For all these things it is British policy and the bureaucratic system of government which are responsible. No longer should the Government of India be maintained as what it has been called a despotism of despatch boxes tempered by the occasional loss of keys. No longer should red tape be King and sealing wax Minister. The Government of India can be a reality in the interests of the people of India when that Government is carried on by the representatives of those people, and not by others who may claim to be father, mother and guardian, all rolled into one, of the uneducated masses.

If this Conference does not lead to the fruition of India's most legitimate hopes and aspirations, I shudder to think of the future. The present system of government stands discredited; there is definitely an end of peace in India on the basis of the present system. A system which can be maintained only by casting into gaol two such noble beings as Mahatma Gandhi and Pandit Madan Mohan Malaviya is a doomed system. I hope that statesmanship—which has been described as the foresight of common sense—will recognise the wisdom of avoiding a crisis and of solving this problem in a friendly spirit. As in the city that has adopted me, Allahabad—pardon me, Sir, it is the best city in India—the two sacred rivers,

your time and I shall try not to do so. This Conference, if it has not already formally done so, will appoint a Committee to consider and recommend the principles on which the future Government of India should rest. That Committee will report and this Conference will examine the suitability of its recommendations. For this reason any expression of views at this stage as to how the future should be ordered appears to me to prejudice the issue or to be at best superfluous. Yet by the will of this Conference, the opportunity for a general discussion has been extended from day to day and from hour to hour. I take it, Sir, that the object of the general discussion is to bring about a comprehensive attitude of mind in this Conference—an attitude of mind which will result from every member of this Conference becoming acquainted with the different points of view, to the end that the final conclusions of this Conference may be in consonance with the general wish and related to the powerful factors which constitute the complex problem with which India and England are to-day confronted.

May I, with your permission, trace for a moment the genesis of this Conference to a point of time anterior to Sir John Simon's recommendation, and consequently express my view of the reasons which invest this Conference with such tremendous importance. The conditions which led to the Government of India Act of 1919, I submit, had already come into existence forty-five years before, and so it was that in 1885 the foundation was laid of the Indian National Congress at the instance of no less a person than Lord Dufferin, then Viceroy of India. The conditions which led to the Reforms of 1919 had also been so created. By the Government of India Act of 1919 it was provided that, after the Reforms had been in operation for ten years, an enquiry would be held in regard to certain specified issues. When England made this provision, it consciously desired to review the result of the big experiment it was launching. But subconsciously, I submit, by that very provision it brought on record the fact that the experiment it was trying, bold though it was, did not cover all the factors of the problem which it had set out to solve. In the inner consciousness of England there was the feeling that the Act of 1919 had ignored the existence of the Indian States. This phase of the problem has obtruded itself since on the attention both of the British Government and of the people of British India. But I must pass on to the operations of the Act of 1919 and show how the existing unhappy conditions in India are the consequence of that Act. In British India that Act created an appetite which grew, and has grown by what it fed on. Sir, it has been remarked that the present conditions in India constitute a problem of British India. I beg to submit that the problem of British India is also the problem of the Indian States, because the conditions that have arisen in India are every day in a greater measure affecting the Indian States. It has been said that the problem of India is a racial problem. It may or may not be so. I believe that it is so to a considerable extent on account of the relative position of the Englishman and the Indian in India. Whether that position has existed by design, or in consequence of

the States whole-heartedly support the demands of British India, if they desire to unite with British India in a Federation which will rest upon their vital and fundamental rights being recognised, they do so, not to gain any exclusive advantage for themselves, but with the object of keeping the Empire whole and entire. They do so out of their loyalty to the King-Emperor. They are once again doing for England what they did in 1857, namely, coming to England's rescue. In just that lies the true inwardness of the attitude which the States are taking to-day. They are desirous of restoring peace and contentment to their unhappy country and of rehabilitating the honour of England in India. If the unitary form of government remains, I doubt very much if England will feel the confidence to concede to India all that India is asking. If the States come in, and there is a federal form of government, I am sure that that fact would inspire England with sufficient confidence to entrust to India the management of her own affairs.

What better can England ask of Providence than a united and contented India behind her, to face with her all the risks of the future and to help her in solving her many domestic problems? A united India, I believe, has been the goal and the ideal of England in India, and the States have come along to make the realisation of that ideal possible. They are asking England to put the coping stone on the magnificent edifice which she has raised in India, and, indeed, by consenting to let the people of India manage the affairs of their country according to their own genius, they are enabling England to win the blessings of the 320,000,000 men and women of India, who, according to their faith in Kismet, actually believe that the day of their deliverance is now dawning.

H.H. The Aga Khan: Mr. Prime Minister, I did not intend speaking here either to-day or at any stage of these proceedings but some of the members of the British India Delegation have told me, as recently as last night and this morning, that it was my duty to express my views. I have come quite unprepared, but the best preparation of all has been the proceedings of this Conference. You, Sir, and the British representatives of the three Parties of the State have heard practically every school of Indian thought. From the Hindus to the Muslims, coming down across the centre, nearly every school has spoken. Their Highnesses, the Princes, have spoken. If we eliminate all differences, there is on one point complete unanimity. We all ask for a full measure of self-government. I think, as Chairman of the British India Delegation, working in co-operation with the two other Delegations, I can say that we are all unitedly asking for that. We ask you to promise us the framework. If the picture that we are to paint on it is unsatisfactory to any of the important minorities, or to the Princes, or to a small section of the minorities, we will try again—and if we fail we will try again; and we will continue trying till we produce something that will be generally satisfactory. I, for one, am particularly anxious that it shall be in a form which will ensure that, not only every Indian minority, but the British com-

mercial element in India shall be satisfied that their interests are safe in our hands. As to the interests of this country, a united India could offer her a far greater security as to her commercial interests than anything she has at present; could offer her a long-dated treaty on the lines of the German-Russian Treaty of 1904. For many years that would ensure your commerce fair and equitable treatment, and that would give your people a sense of security. The same applies to debt and to other interests, which would be infinitely safer than merely relying, as at present, on the strength of this country and not on a consented agreement with India.

Mr. Prime Minister, there is no reason why, if we can produce a federal scheme that will please the Princes, that will please the Hindus, that will please the Muslims, that will please the smaller minorities and that will satisfy all the legitimate commercial interests, and at the same time for a period reserve certain objects, there is no reason why we should not at this moment start on the basis of full self-government and responsibility.

Chairman: Your Highnesses, Ladies and Gentlemen, it is now my task to conclude this part of our proceedings, and in doing so it is my duty to try and survey the field as it is at the present moment. Of course, the very first thing that enters into one's mind, and remains in one's mind with growing strength, is the simple objective fact that we are all here together. It has never happened before. This surely is a union of India sitting at the council table, not only with the British Government, but with the British Parliament—the British Parliament represented by members of the House of Lords, by members of the House of Commons, and by members of the Government in existence for the time being. My Indian friends, those of you with a keen and lively imagination, when I wrote those things that were going to satisfy the heart of my well-armed friend, Mr. Chintamani, did you ever imagine that this would have happened under those circumstances and in such a brief space of time? Do remember this, that the first thing you have to do regarding this Conference is to assure yourselves that we have reached a milestone that indicates a different future from what the past has been.

I said to you, when you elected me to this Chair at the beginning, that you were doing me a very great honour. The sense of that honour has grown from hour to hour and from day to day. This is not only an historic Conference in the sense in which I have used the word, but it is historic in other senses that ought to put pride into the hearts of every one of you here. You have listened to those magnificent speeches, so full of promise, of the Princes. You have listened to speeches, and it is impossible for me to individualise and particularise them, from representatives of practically every interest, every community, every differing group in India. You have done more. You have listened to a charming new voice, which, in itself, marks something great and something most significant in the evolution of Indian self-government, the voice of the women of India.

This, then, is a recognition of status. This recognition made here never can be departed from. It is impossible to go back, to pass a pen through the last four or five days and to declare in any man's vanity that it never existed. It has been born in order to develop. We have listened to remarkable speeches, speeches displaying the mind of India, speeches when differences were declared, not meant to send us all away, you home to India, we back to the House of Commons, full of despair, but speeches which were meant, and must be taken to mean, to bring us face to face with facts in order that those facts may be overcome and fitted into a system of agreement. And, my Indian colleagues, do remember this. This is a small place: we are few; but we have not been your only audience. You have spoken to the great audience of the British public outside. Mr. Sastri, in pursuance of that honourable character which has always been his, told you quite candidly that he had changed his opinion. Mr. Sastri, you are not the only man who has changed his opinion within the last few days. We want opinions to change, not in fundamentals, not in aspirations, not in ideals, not in those great basic human claims; but we want opinions to change in this sense, that every new fact brought before us challenges us to accommodate it in the practical systems which I hope we are going to construct before we leave this Table.

There has been a great influence on public opinion here by your speeches. Every time you spoke you have had effect. Our friends opposite, who belong to the minorities, and who feel, I dare say not only say but feel—that they are minorities, I give you this word of cheer and this word of comfort: the case you have put up has not fallen on deaf ears.

Another observation I want to make is this. The speeches have not stated problems for the purpose of debate; we have gone past all that. We are not here to debate; we are here for action. Every one of you who has been in politics—and I dare say some of you will be a little more in the centre before you depart from this life will, I think, before you go from here have a new angle from which to consider politics, the sort of angle that my honourable friends by me and myself have had to occupy, the angle of the responsible man whose problem is to relate the "is" to the "is to be", and to create in the "is", from the vital strength that it gets from the "is to be", an evolution which will work itself out in accordance with the laws of its own being. It is not for us here to be recorders of what happened in 1800. We are not the recorders of the past. We are the custodians of the future. The policies of 1800, pursued by us and by every other nation, were pretty much the same. The policy of 1930 is to depend upon the situation which has been created by the passing of the years since then. That is the next important thing that we have to consider in our work.

I hear it sometimes said that, somehow or other, some group or other wishes to go back upon what has been said and what has been accepted by you as pledges between, say, 1917 and this moment. That is not true. The Government accepts everything

that has been officially said. This Conference has been called because we accept it. This Conference at its meetings will have proof that we mean to carry it out. We have to face—and again I think of speeches delivered from the section of the Conference immediately in front of me—we have to face practical requirements. I do not like that word "difficulty", because when a man says he is in difficulties he always implies, to some extent, that he is overcome. But there are two types of mind and two classes of men who never can face difficulties with success. The first type and the first class is the man who, when he comes up against a difficulty, imagines either that it is not there at all, or that he can jump over it without any trouble. He comes a cropper. The other type of man, who is equally ineffective, is the man who says, "Oh! there's a difficulty. Let us stop our pilgrimage. The road is blocked. It is not our home, but we cannot go home. Let us pitch our camp in front of the difficulty." He is no good. Neither of these types is of any use. The man of practical action, the type of man and the type of mind that is going to serve both India and this country with success and with honour and be a blessing to both, is the type of man who says: "Yes, there is a difficulty. Come on, let's get over it." That is the spirit in which we approach the problems before us. We have precisely the same sort of problem which, although different in its content—very, very different in its content—but the same type of problem, the same class of problem both in thinking and practical action, which we had to face the other day at the Imperial Conference. 1926 made a great declaration. 1930 had to put a content into that declaration. That is the position in which we are all here at this present moment.

As one of the speakers this morning said, our friend in front, government is a government of men, and constitutions cannot be made to order. Constitutions are not made at firesides. May I, with due respect, as one who belongs to the same fraternity, who honours the fraternity, but knows its weakness, add that neither can constitutions be made in the editorial offices of newspapers? I include myself in that. What we have to do, as men of knowledge, men of experience, men who have thought out problems, is to come and sit together, full of the faith, as a preliminary necessity, that we can find our way through, and that when we have found our way through we shall feel proud of our action, and will see our action fructify in the peace and the happiness of our people.

What has emerged from this? I say first of all that status has emerged. We are here altogether—Princes, British Indians, Hindus, Muhammadans, the minorities grouped in their various sub-divisions, some with great grievances, some with less grievances, but yet, very considerable grievances, some like Burma, whose case we shall have to consider before this Conference is finally wound up. Here we are altogether—my friend Sapru, myself, our friends over there, all at the same Table, working at the same problem, listened to in the same way, enjoying the same freedom of expression, and taking to ourselves, quite rightly, the full right of criticising.

objecting, negotiating, bargaining and accepting finally, or rejecting. I repeat, that is a gain which is marked by the meeting of this Conference. Let it be noted that it is not static; it is not for this time only. This has established a relationship of active co-operation between us, in which your part is as conspicuous as ours.

A second thing is this. The speeches have been extraordinarily practical in their character. There is another word I do not like that this subject shall be "reserved" and that subject shall be "reserved". That seems to imply the idea that we are sitting here, and that we are wishing to exercise a control merely in relation to ourselves and not in relation to you. The problem of the reserved subjects—and every speaker has said that that problem must be faced—is a problem of how things are to be fitted into the conditions which exist to-day; not to stabilise and ossify these conditions, but as practical men who know perfectly well that within six weeks of our agreement you will have to bear responsibilities for it and we will have to bear responsibilities for it. You will have to go and face public opinion in India. You will have to go and face agitation in India. You will have probably to go and face those black flags which bade you God speed, and may be displayed again in order to give you India's welcome. So shall we. So shall this country. All I say is this: that as practical men we must face those facts, and in the agreement we make give them a place. It is not reserving; it is not withholding; it is not withdrawing; it is this: it is an honest study, as between responsible men and responsible men, of the facts relating to the conditions in India and the facts relating to public opinion here for the time being. We have to recognise the objective nature of our task, not merely its subjective nature.

This is another point. The declaration of the Princes has revolutionised the situation. Supposing we had met here without the Princes, supposing the Princes had come and had said nothing, or supposing they had said, "We are here merely as spectators." What a different situation would have presented itself to us! The Princes saying what they have said has at once not only opened our vision, not only cheered our hearts, not only let us lift up our eyes and see a glowing horizon, but has simplified our duties. The Princes have given a most substantial contribution in opening up the way to a really united federated India.

The final point that I need mention in this connection is this. We have made a great contribution here, you have made a great contribution, to the style of the architecture of the constitution. I had an Indian illustration in my mind. I do not think I will give it. You know, I have wandered up and down India, I have seen your beautiful old architecture. Under its walls and standing in its shadows, I have tried to pour out my Western—prejudices shall I call them?—not exactly, because I do not think they are prejudices, but my Western upbringing and I have been able to revel in that extraordinary blossoming of the artistic Indian mind. Style of architecture, my friends, remember this has a

great controlling influence on the mind that abides with it. Give us a constitution which is exotic and alien in its construction, and it will not help us. Give us a constitution which is in accordance with experience, which has become part and parcel of your spirit and thoughts, and that will help you. And the contribution I make to the style of the architecture of your constitution is this. The most characteristic foundation of our common Aryan civilisation, of our common Aryan social order, is the family. The family, as the [illegible] said yesterday, united in the village, the village united in the district and so on—India a Federation, a Federation which is flexible, a Federation which meets the historical inheritance you have all got in so far as it is worthy to be carried into the future, a Federation which enables mergings to take place, a Federation which embodies in itself the authority of the State and the liberty of the individual; the superiority of the combination, and homage at the same time to the containing smaller co-ordinating groups within the Federation; that is in accordance, I think, both with the Indian genius and the British genius, because as a matter of fact in our fundamentals we drink at the same historical fountains and are refreshed by the same historical reminiscences.

With regard to the practical points, I have a series here which I have taken down. They are not systematic; please do not criticise them as that. They are casual. I took them down from the speeches as they were being delivered, not by any of us, but by you. What will be the nature of the component units which are to be fitted into a scheme of federation? What will be the nature of the central co-ordinating structure? What will be the relations of this structure to the Provinces? What will be the relations of it to the States? What provisions will be made to secure the willing co-operation of the minorities and the special interests? What will be the subjects with which the general structure will deal, and in general what should be its powers, functions and responsibilities?

Good debating speeches are not going to carry us over those problems and provide an answer to them. I always delight in listening to my very nimble Indian friends when they are in debate, and I must confess to a sin on my own part: I love to take part in them. But that is not for here and now. Your problem and our problem is to sit down together and supply practical answers to those questions, which can be embodied in an Act of Parliament.

This constitution, this Federation, or whatever it may be, must meet two fundamental requirements. In the first place, it must work. There is no good producing a constitution which will not work. That will not get you out of your difficulties and will not get us out of ours. The other point is this: the constitution must evolve. You are not in a position here to produce a static constitution that your grandsons and your great-grandsons and great-great-grandsons will worship as though it was one of your sacred inheritances. Therefore, the constitution must work and the constitution must evolve. It must be a continuing thing, and in the evolving Indian opinion and Indian experience must be the

more important initiating power. That is the history, as a matter of fact, of all the constitutions of our Dominions. In saying what I have said I am not asking you to take up any special position at all. Look at the history of our evolving Dominions and you will find that they had ardent men in the days of the evolution, cursing, swearing, going to prison, boasting that they had been in prison. It all had to be gone through. These things, although we may say it in our rashness and our thoughtlessness, are really not the acts of man. They are the things that are inevitable in relation to the great fundamental laws which govern the life and provide for the changes in the life of the world, and nobody knows it better than the great Hindu and Muhammadan philosophers. You have to apply this to our procedure. We are not hard-headed business men always counting material gains. No, the politician is different from that. The politician has to have his spiritual draughts in order to enable him to be practical in his political proposals. I want you to remember that in your negotiations, and I hope we will still more.

That is all I need say. Final words will have to be reserved for final meetings. Between final meetings and this is the honest, laborious thinking, considering and pondering of the problems in front of us. Leaving the Chair, as I shall now proceed to do to-day, I only leave it so that somebody else may go into some other chair, and this Plenary Conference may resolve into Committees. All I can say of that is that in the work of those Committees you have the best will, not only of His Majesty's Government but of the British Parliament, House of Lords and House of Commons together. We shall wait with expectation, a little bit anxious perhaps, as I am sure you will be, with perhaps a little anxiety, but all the same with expectation and in the hope that, as a result of the work of those Committees, we shall be able in our final meetings to register agreement which will send you back to India happy men, powerful men, men able to face your difficulties, and which will give us a chance of doing the same thing here, and which above all will enable both of us to go our various ways with the friendship which unites us strengthened and the desire to co-operate which is still with us amplified enormously beyond what it is at the present moment.

BURMA.

Discussion in the Committee of Whole Conference (1st December, 1930) on the Question of the Separation of Burma from India, which preceded the setting up of Sub-Committee No. IV (*see* Paragraph 6 of Introductory Note, Page 3).

Mr. Ba Pe: Mr. Prime Minister, the question of Burma is for us a very simple one. The question whether Burma should remain within the Indian Empire or not is, for me, a question for the Burmese people to decide. The people of India support the principle of self-determination, and the people of Burma wish to see the same principle applied to them. I do not expect my Indian friends will in any way seek to deny us the privilege for which they themselves ask.

The question has been thoroughly discussed all over Burma. As a matter of fact, Burma came into the Indian Empire by a mere accident, and against the wishes of the Indian people and without the consent of the people of Burma. I say that it came into the Indian Empire against the wishes of the people of India because the Indian National Congress in 1885 passed a resolution opposing the inclusion of Burma in the Indian Empire, and the people of Burma were never consulted as to whether they would care to be in and to remain in the Indian Empire.

However, the question was raised from time to time and came to a head in 1917, when Parliament made its historic pronouncement promising responsible self-government to the Indian Empire. A deputation was sent from Burma to Calcutta to see Mr. Montagu when he was in India, and he was asked by this deputation to separate Burma from India. Later on, when the Government of India Bill was before Parliament in 1919, another deputation was sent, this time to this country, asking for the same thing. Unfortunately, instead of framing a new constitution for Burma in accordance with the wishes of the people of Burma, the then Lieutenant-Governor, Sir Reginald Craddock, framed a very reactionary scheme. The whole country was against that scheme, and again a deputation was sent to this country. The ultimate result was that the reactionary scheme of Sir Reginald Craddock was smashed, and, fearing there would be delay in giving the Reforms, Burma was included in the Indian Empire again as a major Province.

Since then, the feeling of the country has been to press for the same thing, namely the separation of Burma from India, and a series of important events took place in Burma. In the meantime, in 1928 what is known as the All Parties Conference in India laid down a very important principle which is in accordance with the wishes of the people of Burma. In the Report of the All Parties Conference occurs this very significant passage:—"Thus we see that the two most important considerations in re-arranging Provinces are the linguistic principle and the wishes of the majority

of the people. A third consideration, though not of the same importance, is administrative convenience, which would include the geographical position, the economic resources and the financial stability of the area concerned. But administrative convenience is after all a matter of arrangement and must as a rule bow to the wishes of the people." The wishes of the people of Burma are that Burma should be separated from India and according to the principles laid down by Indian leaders Burma is entitled to that.

Burma has been suffering for various reasons. As is well known to the Indian people, we have nothing in common with them. Our race belongs to quite a different stock; we are more Mongolian than Aryan. We have customs and manners which are quite different from those of India, and our women are quite as free as any women in this country, if not more so. Literacy in Burma is very high; in fact, the same Lieutenant-Governor of Burma, Sir Reginald Craddock—who is not a true Burman, by the way—said that Burma offered a very good ground for experiment in democratic institutions. I will quote his exact words. He said: "There are features in the social system of Burma which mark it out as *primâ facie* a more promising soil for the introduction of electoral institutions than can be found in India. The widely diffused primary education already mentioned, the emancipated condition of women, the freedom from violent religious antipathies, the great tolerance of the Buddhist religion, the absence of a landed aristocracy, of caste distinctions, and of hereditary occupations—all these are factors which tell strongly in favour of the ultimate success of democratic institutions. The great development of Co-operative Credit Societies and their allied associations is the strongest proof that the organisation of local self-government in rural Burma has been most unduly deferred, and is one of the most pressing wants of our administration." We feel that with all these conditions we are not getting so advanced a form of government as we should have, and in the meantime we find that as a part of the Indian Empire our own national status is disappearing altogether. We are known as Statutory Indians and we do not like to be called Indians, not because we are anti-Indian but because we do not want the Burmese race to disappear from the earth. I hope that feeling will be appreciated by all.

When Sir John Simon and his colleagues visited Burma, in the course of his investigations Sir John put a very pointed question to the seven members of the Burma Legislative Council who co-operated with the Commission. He asked those members whether the feeling in favour of the separation of Burma from India was still strong in Burma, and whether, if a resolution in favour of it was moved before the Burma Legislative Council, it would be carried. Out of those seven members, six answered in the affirmative; the seventh, who represented an Indian constituency, doubted whether it would be carried. I raised the question in the Burma Legislative Council by moving a motion to that effect, which was carried unanimously, thus testifying that it was the

unanimous wish of the people of Burma that Burma should be separated from India without any further delay.

When the Report of the Indian Statutory Commission was published, the people of Burma welcomed the recommendation to separate Burma from India. After that, the present Governor of Burma wished to know whether Burma still held the view that it should be separated from India, and he wanted it to be tested in the Burma Legislative Council. Another resolution to the same effect was accordingly moved, and was carried without a division, showing that we still hold to the view that we should be separated from India.

Now, why do we want to be separated from India? As I have already said, conditions in Burma are very favourable for a great advance in democratic institutions. We want to be a separate entity, enjoying the fullest measure of self-government on an equal footing with the other self-governing Dominions, and of course under the same Crown. That being our aim, we want to get away from India as early as possible. The point where the Indians will be interested is this. What, after separation, will be the position of Indians in Burma? How will their interests be looked after by the new Government of Burma?

In the first place, we have no such thing as communal, religious or caste questions in Burma; all the communities there live very cordially and amicably together. In fact, it will be a surprise to most of those who have not studied the Burmese question to learn that only lately, last October, when we had to return three members to the Legislative Assembly and one to the Council of State, the candidate for the Legislative Assembly, who was a Parsee, not a Burman, was returned by a large majority of Burmese votes, while for the Council of State the gentleman returned was a Muhammadan, who was also returned by Burmese votes. This shows that the people of Burma do not look at race, religion or colour, but at the merits of the people they choose. That has been the case with my old friend Mr. de Glanville who is the leader of the Independent Party, which consists of Burmans and members of other races, thus showing that race, colour and creed are no bar to leadership in Burma. We have not the acute problem of communal, racial or minority antagonism in Burma, yet for the safety of minorities we are prepared to do all that lies in our power to devise ways and means to protect their interests.

The next point about which the Indians would like to know would be the financial adjustment between India and Burma. I do not know whether this Conference can go into the details, but it seems to me a matter for further inquiry by a special Committee.

The third point is the trade relations between the two countries. As far as possible we want free trade between India and Burma. India wants our rice, our oil, our teak and other timber, and we want things from India. Burma requires manufactured

goods from India, and it is in the interest of both countries not to raise tariff walls against each other. We must live peacefully together and devise ways and means for our mutual benefit. I do not see any difficulty in that direction.

On the whole, the people of Burma are satisfied that Burma should be separated from India without any further delay, providing for the minorities safeguards either in the constitution itself or in the Instructions to the Governor, whichever may be found best to meet the case, and also making reasonable financial adjustments as between India and Burma, and having a Trade Convention between the two countries. On these terms I believe no objection can be raised to our proposal.

The next question with regard to separation is this. The Indian question will be settled by this Conference, and India will have a new constitution in due course. It will be a very undesirable thing for Burma to have a constitution later than India; we must have one at the same time if possible. For that we shall have to work out the financial relations, the trade relations and so on, and we must start work now. Instead of sending a Commission to Burma to raise the same old questions that were raised by the Simon Commission when it visited our country, we think it would be better to have another Conference in London, to which would be invited representatives of the various parties and interests in Burma some 15 to 20 in all— who would sit here as this Conference sits with the representatives of the British Government. That would economise time, avoid trouble, and be more conducive to the peaceful working out of a constitution for Burma.

I think I have touched on all the important points which I ought to deal with here. I need not go into further details now, but if necessary I am in a position to supply further information. I hope my Indian friends will help us in our request for an early settlement of the question of the separation of Burma from India.

Mr. Chintamani: I desire to say at the outset that, as an Indian, the point of view from which I look at the question of the separation of Burma is this, that the will of the people of Burma should be the sole determining factor in the settlement of the question. If I looked at it from any other point of view—if I thought that the interests of India would be jeopardised by the separation of Burma, and therefore that the interests or the will of Burma should be subordinated to the interests of India—I should be guilty of the same mistake and the same injustice of which we accuse the Imperialists of this country when they proceed to grab the territories of other peoples.

I am glad that the last speaker gave prominence to the resolution passed by the Indian National Congress at its very first session. The Congress opposed the annexation of Burma, and further resolved that, if Burma must be annexed, it should not be amalgamated with British India for administrative purposes

but should be treated as a separate entity. If, therefore, the people of Burma have a grievance, it cannot be against my countrymen, for they were not parties to the invasion of Burma and its annexation but in fact protested against those measures and explicitly urged that Burma should not be made a part of British India.

The ground having been cleared by these preliminary observations, I should like to join issue with the last speaker when he claimed that it was the unanimous opinion of the people of Burma that there must be separation. It may be that a very large majority of the people do wish it, but certainly it is not a unanimous opinion. There have been expressions of opinion to the effect that the separation of Burma from India would be detrimental to the Burmese themselves, and that those Burmans who were agitating for separation were really playing into the hands of the British commercial interests which have been established in that Province, and which would mean that if Burma were not a part of India with all its political agitation, the field of exploitation would be the wider and the easier for them in the future than it might otherwise be.

Next, reference was made to the recommendation made by the Simon Commission. Sir, no particular value attaches to those recommendations or to the authors of those recommendations in my estimation as it does not in the estimation of any other Nationalist Indian—but there is one particular circumstance in connection with this particular recommendation to which I think it my duty to invite the attention of this Conference. One of the Memoranda submitted to the Simon Commission was practically annexed by the Commissioners as if it were their own, and newspapers in India have been able to print in parallel columns passages from that Memorandum submitted to the Commission and from the report of the Commission passages which showed that the Commission not only swallowed in its entirety whatever was contained in that Memorandum, but did not even take the trouble of altering the language in which the Memorandum was submitted. We all know that only one body of opinion went before the Simon Commission. Dissentient opinion did not find expression before it, taking the country as a whole. I hope this circumstance will be borne in mind when we proceed to assess at its proper value the recommendation that is embodied in the report of the Simon Commission.

There is one more circumstance which is relevant to the present discussion, and I consider it a very regrettable duty that I have to call attention to it. The question whether Burma shall remain a part of British India or shall be separated is a question that has yet to be decided by competent authority. The Government of India have not declared their decision upon the subject. His Majesty's Government, to whom the Government of India is under the present law subordinate, have not yet pronounced any decision, and yet the Governor of Burma has no hesitation in converting

himself into a public propagandist in support of separation. In speech after speech which has been published in the newspapers the Governor of Burma has advocated with superlative vehemence the advantages and the necessity in the interests of Burma of the separation of that Province from British India. It is not my purpose—it is that of the Secretary of State for India—to say how far this action on the part of the Governor of Burma is at all in conformity with the notions of official discipline which are rigidly enforced in my country whenever any of my countrymen happens to be an offending party. But in assessing the value of the agitation in Burma for the separation of that Province, this factor also should be considered, namely, the important and open part which the head of the Government of Burma has played in it.

The next point I wish to emphasise is that if separation be decided upon, an equitable financial adjustment of outstanding claims is an imperative necessity. Every pound of the cost of the 2nd Burmese War was borne by the Indian taxpayer. For as long as the Province of Burma was a deficit province, the deficit was met out of taxation contributed by the people of British India. There was a high officer of Burma, Mr. F. C. Gates, who raised in the old Indian Legislative Council the question whether Burma was a gainer or a loser in a financial sense by its connection with India, and he sought to make out the case that Burma was really relieving the Indian taxpayer to an appreciable extent. His contention was challenged, and very effectively, by Mr. Gokhale—and when I name Mr. Gokhale I need not tell a single member of the Assembly that he was not in the habit of making a single unconsidered or untested statement. Mr. Gokhale challenged that statement and expressed the opinion that far from Burma being the loser it was India which was the loser under the financial conditions which then existed.

There is one more point, and that is discriminatory legislation. Although Burma is still administratively part of British India, during the regime of Sir Harcourt Butler legislation was placed on the Statute Book which discriminated against Indians who migrated to Burma and settled in that country, which was penal and prohibitive in its nature, which was insulting, and which led many people to say that while Mr. Sastri and others were worrying over the question of Indians in Kenya, there was a Kenya nearer home which was in a Province of British India itself. When the question of the separation or the continued connection of Burma is considered, this question of the future position of Indians migrating to Burma, and the question of the position of Indians settled in Burma will also have to be considered.

These are the points which I thought I might, without wasting the time of the Committee, bring to their notice.

Raja Sher Muhammad Khan: I have every sympathy with the desire of those of my friends who desire the separation of Burma from India, and I think the general opinion of this House is

in favour of the separation of Burma from India, but one important question which I would desire should be brought to the attention of this House and of the Committee that is appointed to consider the separation of Burma, is the defence of Burma. The Indian Army is still in Burma and has served in Burma for two or three centuries. I bring this point to the notice of the Committee because I am afraid that whenever our constitutional friends here want to add to the number of members of any Committee they simply go to the men who have been ex-ministers and barristers. They never think of defence, or of the Army, which questions should certainly be included in any scheme of the separation of Burma from India. That is why I suggest that when the Burmese question is being considered, the Committee must think about the defence of Burma.

Lord Reading: May I first of all endorse what has been said by the opener of the debate. So far as we can judge from all the evidence before us, and indeed from all the reports made, there seems a consensus of opinion in favour of separating Burma from British India. The Simon Commission, after very careful examination into it, came to that conclusion, and I was a little surprised to hear that it was a matter of reproach to a Commission that it has been so impressed by a Memorandum which had been presented to it that it endorsed practically all the proposals of that Memorandum. If I sent a Memorandum in to a Commission and I found that the Commission took almost everything, if not everything, that I said, I think I should be extremely pleased, and I should be much more convinced of the perfect wisdom of that Commission.

One other observation only before I deal with one or two practical points. If I understand Mr. Chintamani aright some complaint was made of the action of the Governor of Burma, and it was questioned by him whether he had followed a course which was one of constitutional propriety. I happen to know the Governor of that Province, who served as a member of the Executive when I was in India, and I know of his very long and distinguished services in India. It would be difficult indeed to find a man who is more careful of the proprieties of constitutional conduct than Sir Charles Innes, the Governor of Burma. It is unnecessary, and certainly I am not going to waste time, to defend such a distinguished a servant upon the point that is made, because I should have thought if there was any ground for the reproach, it was one which would be dealt with by the Viceroy and the Government of India, and if not by them, by the Government at home and not, after all, by this Round Table Conference, which is not charged, so far as I understand it, with entering into a discussion as to the constitutional propriety of speeches which are made by a Governor in India.

May I refer to one other observation of Mr. Chintamani, whose remarks I naturally followed with the greatest care, and with which I am sorry to say for the moment I find myself in a little

disagreement, but I do not think it is anything very material. He said, as I understood him—I am not sure I was right—that the Government of India had expressed no opinion, and that we were waiting for that. Looking at the Report I doubt whether that is really accurate, because I have in my hand the Government of India's Despatch which has been circulated by His Majesty's Government, and of which we all have copies, and, as I understand it, there was no doubt whatever that they did accept in principle the recommendation. They point out that there are difficult matters still to consider. I will only read two sentences, and I would particularly draw Mr. Chintamani's attention to them. I quote from page 84:

"Assuming, therefore, that an equitable financial settlement will be made between the two countries, and that their respective economic interests will be safeguarded by arrangements which we hope may be mutually advantageous, we support in principle the proposal that Burma should now be separated."

Then they go on to point out that, of course, there are questions to be considered:

"If separation be accepted in principle, the present revision of the whole constitution of government in British India supplies an appropriate occasion for making the change."

That leads to this: that having endorsed the principle, the Government of India—I do not intend to read passages—drew special attention to certain points, and which I think we have to consider; that is to say, in order to determine what course should be taken by this Conference.

The main purpose of my observations to the Conference is in order to suggest that we should be careful, if we do send this to a Committee, to remember that most of the questions which will have to be considered can never be settled by a Committee of this Round Table Conference. There are questions of finance; there are questions of economics; there are questions relating to the military situation; there are questions affecting strategic positions in Burma; there are questions affecting the Army; there are questions affecting the conditions of Indians in Burma—there are numbers of questions which can only really be settled by, as I should have thought—and I think the Government of India agrees—a special Commission which would have to be set up to deal with them. Indeed I rather understood that the opener of the debate himself favoured that view. A Conference he called it. I do not mind the name; it is quite immaterial; we have exactly the same purpose in mind whatever it is called. It is a meeting of specialists and of selected persons representative of the various interests, who can bring their knowledge and intelligence to bear upon the subject for the purpose of laying down what are the main things which will have to be safeguarded in the constitution of Burma.

The point I want to make—and it is the only matter to which I want to draw attention here now—is that that is a matter which no Committee here can possibly handle, and that it must go to a special Committee. Whether you, Sir, think after this debate, assuming that the Conference were all agreed in regard to the principle that Burma should be separated from India, that any useful purpose would then be served by appointing a Committee, is of course a matter for you and the Conference to consider.

I would suggest that the whole matter should be dealt with quite apart from it, and it would not be necessary to have the authority of this Conference to deal with it. If you had, it could only lay down two or three principles which were suggested by the gentleman who opened the debate. Trade relations and matters of that kind must be dealt with and, equally, care has to be taken in the constitution regarding unfair discrimination, and I was very glad to hear the observations made by Mr. Chintamani, which were very pertinent, and which will have to be borne in mind. If there is agreement, and a Committee were set up, it could do no more than deal with one or two of the main principles referred to in the Government of India Despatch. I think that should be dealt with by a separate Committee.

H.H. The Maharaja of Alwar: Perhaps my Burman colleagues might have least expected that one from the Indian States would rise to speak on a question concerning them, but I am doing so, because in the Simon Commission Report, if there is anything emphatic, anything definite, it is about the separation of Burma. They have definitely suggested that this separation should take place as early as possible. I only want to convey my own sentiments to my Burman colleagues at this Conference, wishing them every success in their endeavours. Let us hope that when they have succeeded in achieving their end, we may have a friendly competition as to which shall reach the Dominion Status first. Perhaps they may even be flirting with a new Secretary of State, because, no doubt, with the separation of Burma they would have another Government here dealing with their affairs. But all I wanted to say was that my sympathies are with them in desiring their nationality to rise to its full stature within their own country. May I therefore express my full sympathy in their request and demand for separation, and I earnestly hope that they will achieve it with full glory and honour.

Lord Peel: I only wish to say one or two very brief words upon this subject because I myself have a good deal of sympathy with the point of view expressed by the Burmese representative. I am not at all surprised that so wide-minded a statesman as the Maharaja of Alwar has expressed a similar feeling. I spent some little time in Burma last January. One always gains much more from personal observation than from any number of Blue Books. My experience was, during the weeks I spent in Burma, that there

was an extraordinarily strong and widespread desire to be separated from the Indian Empire. Wherever I went, whether the people I was talking to were of high position or not, they said to me, "There is something special I want to say to you." I replied, "I suppose it is that you wish to be separated from India," and that was generally the secret confided to me on these occasions. I was rather surprised to hear this criticism of the Government of Burma, because apparently the Governor and the Government of Burma did not separate themselves from the almost universal opinion of Burma itself. I should imagine that if the view of the Government of Burma had been the other way we might have heard some criticisms on that subject.

On the practical issues we have before us, I think myself it would be a good thing if this subject were referred to a Committee. I do not say, of course, that a Committee could draw up an elaborate constitution for Burma, but after all we are here with many representatives of India, and as has been intimated in the speech of Mr. Chintamani, this affects not only Burma but Indian interests as well, and therefore the main lines for any criticism that may be made by representative members from India on this question of separation and the subsequent relations with Burma might very well be said here, so that we could be seized of the difficulties of the situation both from an Indian and from a Burmese point of view. It seems to me an eminently useful suggestion that after we have dealt with the subject as far as we can, a Conference, as suggested, might assemble in London to work out the general lines of the framework of the future Burmese constitution. I prefer that to a Commission examining the whole thing. I quite sympathise with the view expressed by the Burmese representatives that if too long delay occurs there will be a hiatus between the establishment of a new Indian constitution and a Burmese. I should support both propositions, that this subject should go at once to a Committee and, secondly, that some sort of Conference should be held as soon as possible.

Chairman: I interpret your feeling as being unanimously in favour of meeting the approach made by the Delegate from Burma. You desire a Committee of this Conference to be set up to consider the matter, that the purpose of that Committee should not be to attempt to draft a constitution for the new Burma, but that it should take note of certain conditions which have to be met in the process of separation; and further, it may assist us by recommending to us how the process should best be carried out, by Committee, Commission or anything else.

I have roughly had put down these terms of reference to the Committee:

> "To consider the nature of the conditions which would enable Burma to be separated from India on equitable terms, and to recommend the best way for securing this end."

I take it, first of all, that you wish a Committee to be set up. (General assent.) You want it with the terms of reference which I have read, that these should be the terms of reference to the Committee. (General assent.)

Mr. Shiva Rao: Is the question of separation an open one, or is it not?

Chairman: No, as I look at it, it is not open.

Mr Chintamani. It should be open not only to consider the method of separation, but whether there should be separation.

Chairman: I have only got eyes and ears for what the Conference says, and I take it that there is an overwhelming opinion in favour of the suggestions made. (Applause.) You see, the applause is all along the line.

H.H. The Maharaja of Bikaner: I only wish to say one word in addition to what has already been said. The general feeling on the part of the Indian States is that this is a question almost entirely for Burma and British India, and, of course, His Majesty's Government, to deal with. If and when any question arises which affects the States I feel sure the States will have a say in the matter. In the meanwhile I simply content myself with stating that we have the most friendly feelings for our Burman friends.

Chairman: You are in favour of that being done? (General assent.)

Lord Reading: That is a separate Committee.

Chairman: Yes.

Committee of Whole Conference.

Pages 188 to 397 contain the discussions in Committee of the Whole of the Reports of the sub-Committees.

Each Report is printed immediately before the discussion which relates to it.

(*See* paragraph 7 of Introductory Note, page 4.)

Sub-Committee No. 1. (Federal Structure.)

INTERIM REPORT PRESENTED AT THE MEETING OF THE COMMITTEE OF THE WHOLE CONFERENCE HELD ON 16TH DECEMBER, 1930.

Introductory

1. The sub-Committee was appointed to consider and report upon the following four of the Heads of discussion which were framed for the Federal Relations Committee:

No. 1.—The component elements of the Federation.

No. 2.—The type of Federal Legislature and the number of Chambers of which it should consist.

No. 3.—The powers of the Federal Legislature.

No. 6.—The constitution, character, powers and responsibilities of the Federal Executive.

The sub-Committee thought that it would be for the convenience of the Conference to present an Interim Report dealing, in the first instance, with Nos. 1, 2 and 3 above. In view of the large issues raised by No. 6, which cannot be separated from those connected with the relation of the Federal Executive to the Crown (No. 12 of the Heads of discussion), it appeared to the sub-Committee that this Head, on the discussion of which they are proposing immediately to enter, should form the subject of a separate report.

2. The sub-Committee are in a position to report that a most encouraging degree of agreement on the matters comprised in Nos. 1, 2 and 3 has been secured. They recognise that any measure of Federation involves for the States sacrifices in a sphere to which they have always attached the greatest importance for practical reasons as well as on grounds of existing treaties and sentiment. They recognise, on the other hand, the natural hesitation of the representatives of British India to accept any form of constitutional change which might be thought to endanger the unity of British India or those positive advantages which are derived from a uniform body of law and administrative practice. All parties of the sub-Committee were unanimous in preferring the welfare of India as a whole to the individual claims of the interests they represent and in the conviction that only in the larger unity can the diversity of interests and policies be completely harmonised. The sub-Committee are not dismayed by the criticism which may perhaps be made upon their conclusions, that the links between some parts of the Federation and others are but slender. A new State is not born full grown: it must contain within itself the capacity for growth. The attainment of full maturity must depend upon the efforts and devotion of the statesmen of India herself from whatever territory they may come.

The sub-Committee's conclusions are as follows:—

Conclusions.

I. *Component elements of Federation.*

3. The component elements of the Federation should be on the one hand

(a) the federating Provinces of British India, and on the other hand,

(b) such Indian States or groups of States as may enter the Federation. Provision should be made for the subsequent entry from time to time of such further States or groups of States as agree to enter the Federation.

The important question of the position of the Crown will require further examination when the relation of the Federal Executive to the Crown is discussed.

4. So far as British India is concerned, the federating organism will be neither the Government of British India as it exists at present, nor autonomous Provinces released from the central tie. The process of Federation will involve the creation of a new State which will derive its powers

(a) in part from the powers which the States will agree to concede to the Crown, to be placed at the disposal of the new Federation; and

(b) in part from the transfer to it of such of the powers of the Central Indian Government (and also it may be of the Provincial Governments) as may be agreed to be necessary for the purposes of the Federation.

II. *Type of Federal Legislature and the number of Chambers of which it should consist.*

5. The Federal Legislature should consist of two Chambers, each containing representatives of both British India and the States (the proportion which the representatives of British India and of the States should bear to each other will be a matter for subsequent consideration under Heads not yet referred to the sub-Committee).

6. The method whereby the representatives of British India are to be chosen was not referred to this sub-Committee, but Their Highnesses made it clear that in their opinion the method by which the States' representatives should be chosen will be a matter for the States themselves. If and so long as there are any reserved subjects it will be necessary for the Crown to be represented in both Chambers.

7. Differences between the two Chambers might be determined either at a joint session or by other means, by vote, whether by a bare majority or otherwise being a question for discussion at a later stage.

III. *Powers of the Federal Legislature.*

8. A list of subjects provisionally recommended as Federal subjects is appended. This list is framed on the assumption that the Federal Legislature will be clothed with power to legislate upon all the subjects included in it. The inclusion of certain subjects, *e.g.*, Defence and External Affairs, was not specifically considered, since these subjects in particular (though not exclusively) raise the question of the relations between the Executive in India and the Crown—a matter not within the sub-Committee's Terms of Reference. It is of the essence of a Federal constitution that the enactments of the Federal Legislature acting within its legal scope should have full force and effect throughout all areas comprised in the Federation.

9. Provision should be made by some constitutional procedure for additions from time to time to the list of Federal subjects.

10. In relation to Federal subjects a distinction is to be drawn between policy and legislation on the one hand and administration on the other. In some Federal systems there is a complete separation between Federal and State agency in the administrative as well as the legislative sphere, but in others the administration is entrusted, subject to certain Federal rights of inspection, etc., to the State authorities. The choice is a matter of convenience rather than of principle, depending upon conditions existing at the time of Federation and the practical advantage or disadvantage of disturbing the *status quo*. For a variety of reasons there are cases in which States may desire to retain, in those matters in which they agree that the control of policy shall be Federal, most of the administrative powers which they exercise at present, but in so far as they continue to exercise those powers, they will do so in conformity with a policy jointly determined and with regulations jointly formulated. Provided that the conditions for a harmonious evolution are established, it is an advantage that there should be a minimum of disturbance in the practical arrangements which already operate.

11. The precise delimitation of the functions of the Federal and State Governments respectively in these spheres will be a matter for settlement in respect of each subject by negotiation.

12. The sub-Committee are strongly of opinion that there should be only a single Legislature to deal with Federal subjects proper and with any subjects which cannot at present be either federalised or completely provincialised. Such a Legislature will no doubt contain representatives of units of the Federation which will not be concerned with some of the subjects with which it deals. But the partial acceptance of this anomaly is preferable to the difficulties and complications involved in any expedient for completely avoiding it, such as the creation of a separate British Indian Legislature with a separate Executive. How to deal with this anomaly will have to be considered at a later stage.

St. James's Palace,
London,
12th December, 1930.

APPENDIX TO INTERIM REPORT OF SUB-COMMITTEE No. 1.

Schedule of subjects provisionally agreed to as "Federal" with notes.

N.B.—The enumeration is that of the present List of Central Subjects—Devolution Rules, Schedule I.

Subject	*Notes.*
5. Communications to the extent described under the following Heads, namely:—	
(*a*) Railways (including railways to be constructed or acquired in future).	Policy and Legislation to be Federal. Administration to be Federal to the extent of powers now exercised by the Railway Board.
(*b*) Aircraft and all matters connected therewith.	Federal.
(*c*) Inland waterways.	Policy and Legislation to be Federal in respect of inland waterways affecting more than one unit.
6. Shipping and navigation, including shipping and navigation on inland waterways in so far as declared to be a Federal subject in accordance with entry 5 (*c*).	Federal for Legislation and policy.
7. Lighthouses (including their approaches), beacons, lightships and buoys.	Federal.
8. Port quarantine .	Federal so far as international requirements are concerned.
9. Ports	Such ports to be Federal as are declared to be major ports by rule made by Federal Government or by or under Legislation by the Federal Legislature, subject in the case of Indian States to such extent as authority may be delegated by the States under a convention.
10. Posts, telegraphs, trunk telephones and wireless installations.	Federal; but with such qualifications as may be necessary for the purposes of adjustment with the States in matters of detail.
11. Customs and salt . . .	Salt: Federal. Maritime Customs: Federal, subject to special adjustments with Maritime States having regard to their treaties, agreements and engagements. Customs on external frontiers of Federal India to be Federal on the lines of maritime customs subject to the special case of Kashmir.
12. Currency and coinage . .	Federal, subject to adjustment with the States concerned of such rights as are not already conceded by them.

	Notes.
13. Public Debt of Federal India. (Power to raise Federal loans).	Federal.
14. Savings banks	Federal for policy and legislation regarding Post Office Savings banks.
15. Federal Audit	Federal.
17. Commerce, including banking and insurance.	Federal for policy and legislation.
18. Trading companies and other associations.	Federal for policy and legislation.
20. Development of Industries .	Development of Industries to be a Federal subject in cases where such development by Federal authority is declared by order of Federal Government, made after negotiation with and consent of the federating units.
21. Control of cultivation and manufacture of opium, and sale of opium for export.	Federal for policy and legislation.
22. Stores and stationery, both imported and indigenous, required for Federal Departments.	Federal.
23. Control of petroleum and explosives.	Federal for policy and legislation.
24. Geological Survey of India .	Federal.
26 Botanical Survey of India .	Federal.
27. Inventions and designs . .	Federal for policy and legislation.
28. Copyright	Federal for policy and legislation.
29. Emigration from, and immigration into, India.	Federal.
31. Federal police organisation .	Federal.
32. Traffic in arms and ammunition	Federal for policy and legislation.
33. Central agencies and institutions for research (including observatories) and for professional and technical training or promotion of special studies.	Federal as regards future agencies and institutions.
35. Survey of India	Federal.
38. Meteorology	Federal.
39. Census	Federal for policy and legislation the States reserving administration.
39A. All India statistics . .	Federal.
40. Federal services . . .	Federal.
44. Immovable property acquired and maintained at the cost of the Federal Government.	Federal.
45. The Public Service Commission	Federal for the purpose of Federal services.

COMMENTS IN COMMITTEE OF WHOLE CONFERENCE (16TH DECEMBER, 1930) ON INTERIM REPORT OF SUB-COMMITTEE NO. I (FEDERAL STRUCTURE).

Chairman: Paragraph 1 is a matter of procedure. You will note paragraph 2, and in the following paragraph there are set out the component elements of Federation. What is set out there is just the facts. Certain suggestions are made, and we will take note of them all.

(The Chairman then read the numbers of the paragraphs down to No. 12, all of which were noted without discussion. He then similarly read the schedule of subjects in the Appendix from No. 5 to No. 11.)

Sir Chimanlal Setalvad: With regard to No. 11, we have "Salt: Federal. Maritime Customs: Federal, subject to special adjustments with maritime States having regard to their treaties". The difficulty is that some of these are called treaties and others are called agreements and engagements. We ought to have the words, "Treaties, agreements, and engagements".

Lord Sankey: I will accept those words.

Chairman: We, as a Committee must not alter the Report, but the Chairman of a sub-Committee may accept an alteration on behalf of his sub-Committee, and Lord Sankey does so. We note No. 11 in the Appendix as amended with the consent of the Chairman of the sub-Committee.

(The Chairman then read Nos. 12 to 45, and all were noted without comment.)

Sir Prabhashankar Pattani: I should like to draw your attention, Sir, to the fact that the Princes are absent, and these matters have been noted in their absence.

Chairman: That will also be noted.

Dr. Ambedkar: I should like to raise the point which my friend Mr. Joshi made before we adjourned. The Lord Chancellor, as the Chairman of this sub-Committee, invited some of the Delegates to submit any views they might have on these particular matters, and a few Delegates including myself submitted a letter to the Chairman of the sub-Committee, and expressed our wish that that letter should be submitted to the sub-Committee for consideration. I do not find in the Report any reference to that letter, and I was informed by Lord Sankey that that letter was not placed before the sub-Committee, but was sent to you, Sir, as Prime Minister. I do not think that that was quite a proper way of dealing with it. The letter was submitted to the Chairman of the sub-Committee,

for the sub-Committee's use, and it expressed certain definite views we held on the question of Federation. I am bound to make this comment because, speaking for myself, the Report as drawn up is so much at variance with the principles expressed in the letter that I find we shall have at some stage to raise a debate on this question, and I should like to know what steps the Lord Chancellor proposes to take.

Lord Sankey: I am very much obliged to Dr. Ambedkar for raising the point he has done, because I should have like to have raised it myself, and it gives me the opportunity of saying a few words which I should have said at the beginning. First of all, I should like to thank my Committee for the very great help and consideration they have shown me. We had a very difficult task, and my task as Chairman was a difficult one, but I have never had such a pleasant task, and I could not have had a better Committee to assist me.

I want to say a word or two about the Report which you have in your hands. Gentlemen, would you mind looking at that picture (*Morier's painting of George II on horseback*). I do not suppose the artist painted the man and the horse at the same time. One of these has to be painted after the other, and if you had been invited to the studio at the time when he had only painted the horse and had not painted the man you would not have been able to express a satisfactory opinion of the whole picture. I have invited you to come to the "studio" to-day, but you are only looking on the "horse" in the picture. Soon you are going to be presented with the complete picture, and then, Dr. Ambedkar, I shall want your assistance.

The first questions referred to us were (1) the component elements of the Federation; (2) the type of Federal Legislature and the number of Chambers of which it should consist, and (3) the powers of the Legislature. But the most important question is one we still have to discuss, namely, the constitution, character, powers and responsibilities of the Federal Executive. Everything depends upon that. The work done with regard to the first three questions may have to be modified or revised when we come to our final report upon No. 6.

Now with regard to that letter, Dr. Ambedkar, that you were good enough to send to me, I have considered it very carefully, and it will be vital to discuss it when we come to No. 6.

Dr. Ambedkar: All I should like to know, if I may say so, is whether you will place that letter before the Committee. At what stage you may do so is a matter which I must leave to you.

Lord Sankey: One moment, Dr. Ambedkar. I am going to do a good deal more than that: I am not only going to place your letter before the Committee; I am going to draw the Committee's attention to it myself.

Dr. Ambedkar: I am obliged. That is enough for me.

Lord Sankey: One moment. I have not finished. When you are as old as I am, you will not be in such a hurry. Instead of having to do the job myself, I personally should very much like the gentlemen who presented the letter to come and do the job. If I have to do it myself, I shall not do it as well as you gentlemen would. But I will do this: not a word of the letter shall be left out; but it is not quite the time to consider it yet, because it must be considered at that important time when we come to No. 6.

May I say just one other thing before I sit down. While I am anxious that every one of you should be safe and secure and have your rights, I am not here for any particular party; I am here for India, and my ambition is that we should go away from this Conference and that you should have something to take back to India. With a little patience you shall have something to take back to India. My ambition for India let me repeat it for the first and last time is that we should not have these unhappy divisions, but that we should see an India, as the result of this Conference, companioned by content and prosperity.

Sir Phiroze Sethna: May I ask a question with regard to the items which appear in the Appendix. They are evidently drawn from the Devolution Rules, under the heading of Central subjects.

Lord Sankey: Quite right.

Sir Phiroze Sethna: But in the present Devolution Rules there are several subjects under the heading of Provincial Subjects which are subject to legislation by the Central Government. May I ask whether these are to hand yet, because there is no reference to them now.

Lord Sankey: The answer to that question is three-fold:—(1) they are not yet taken in hand; (2) they will be taken in hand, because to some extent we shall have to consider them when we come to the Executive question; (3) it may be necessary—I do not say it will—to have a joint meeting of the Provincial Committee and my Committee. They shall be.

Chairman: That is all noted.

Sub-Committee No. 1. (Federal Structure.)

SECOND REPORT, PRESENTED AT THE MEETING OF THE COMMITTEE OF THE WHOLE CONFERENCE HELD ON 15TH JANUARY, 1931.

INDEX.

1. *Introductory.*—The sub-Committee consisted of the following members:—

British Delegation:

The Lord Chancellor (*Chairman*).
Mr. Lees Smith, M.P.
The Earl Peel.
The Right Hon. Sir Samuel Hoare, Bart., M.P.
The Marquess of Reading.
The Marquess of Lothian.

Indian States Delegation:—

H. H. The Maharaja of Bikaner.
H. H. The Nawab of Bhopal.
Nawab Sir Muhammad Akbar Hydari, Hyderabad.
Sir Mirza M. Ismail, Mysore.
Colonel Haksar, Special Organisation, Chamber of Princes.

British India Delegation:—

The Right Hon. Srinivasa Sastri, Madras.
Sir C. P. Ramaswami Aiyar, Madras.
Diwan Bahadur Ramaswami Mudaliyar, Madras.
Mr. Jayakar, Bombay.
Mr. M. A. Jinnah, Bombay.
Sir Tej Bahadur Sapru, United Provinces.
Mr. T. F. Gavin Jones, United Provinces.
Sir Muhammad Shafi, Punjab.
Sardar Sahib Ujjal Singh, Punjab.
Sir Sayed Sultan Ahmed, Bihar and Orissa.

In addition, Sir B. N. Mitra attended most of the meetings of the sub-Committee and gave it the benefit of his advice and assistance.

2. It must be clearly understood that although agreement has been reached by a majority of the sub-Committee on many important matters, such agreement is only provisional, and every member followed the example of Lord Reading, who said that the understanding had been from the outset that it would be open to all members, when they came to consider the complete proposals for the Federal constitution, to modify or change any provisional assent they might have hitherto given. Every member of the sub-Committee reserves to himself the right of modifying his opinion before the final picture is completed. This is the attitude of British and Indian members alike. Over and above that, upon the basic

complete, set out in paragraph 8, Lord Peel and Sir Samuel Hoare, with the information at their disposal, and with so many important points still undecided, are unconvinced that the kind of Executive envisaged in this Report can be successfully adapted to the special conditions of an All-India Federation. They, therefore, desire to see further explored methods for increasing Indian control over the Federal Government that are better suited to All-India needs than those founded upon British precedents. Apart from this Lord Peel and Sir Samuel Hoare are not satisfied that the safeguards recommended for securing Imperial obligations will prove effective, and, in particular, they fear that the financial proposals outlined in paragraphs 18 to 22 inclusive will disturb the confidence of the commercial classes and impair the stability of Indian credit. They wish, however, to place on record their appreciation of the progress that has been made in the elucidation of a contentious and difficult problem, and their readiness to co-operate with sympathetic and unprejudiced minds in its further investigation.

Upon the question of finance, Indian opinion was that even the safeguards set out in the Report went too far, especially those giving special powers to the Governor-General.

3. The vexed Hindu-Muslim question was referred to by Sir Muhammad Shafi on behalf of the Muslim Delegation, and he made it clear that as far as he was concerned he could not consent finally to frame any constitution unless the Hindu-Muslim question was settled. To this view Mr. Jinnah gave his adherence, on the ground that no constitution would work unless it embodied provisions which gave a sense of security to the Muslims and other minorities. He further objected to some details of the Report. Other Delegates, again, stated that their final opinion upon details was not yet formed, and that they desired, before they came to a conclusion, to ascertain public opinion upon such details, both in India and in England.

4. The Indian States do not desire either to discuss or vote upon questions which concern British India alone, and are of opinion that these questions should be definitely excluded. Nor do the Indian States contemplate that any question of paramountcy will come at any time within the purview of the Federal Government.

The sub-Committee publish the Report subject to these reservations.

5. In their interim Report of 12th December, the sub-Committee indicated their view of the component elements of the Federation, which is contemplated as the future polity for India, and recommended that these elements should be represented in both Chambers of a bicameral Federal Legislature. They also put forward a provisional list (which is reproduced in the Appendices referred to in paragraph 37 of this Report) of the subjects upon which this Legislature should be empowered to pass laws having application throughout all units comprised in the Federation. In a later part of the present Report it will be the duty of the sub-

Committee to supplement the provisional recommendations thus made with regard to the competence of the Federal Legislature. There are some matters which, although the Federal Government and Legislature will not at present have jurisdiction in respect of them in the Indian States, will none the less require co-ordination in the areas comprised by the British Indian units of the Federation. These subjects also are indicated in the Appendices referred to in paragraph 37 of this Report. The sub-Committee desire in this connection to emphasise once more the conviction, to which they gave expression in paragraph 12 of their previous Report, that it is the Federal Legislature itself which should perform this co-ordinating function. Their reasons for this view are in part the desire to avoid the inevitable complexities which would arise from setting up a separate authority to deal with subjects not completely federalised, but an even more important reason is that it is, in the sub-Committee's opinion, essential to the development of the Federal idea that the new constitution should contain within itself facilities for its own development, and that nothing should be done in designing the structure embodying it which would be calculated to hamper the natural evolution of a Greater India.

The further Heads which were referred to the sub-Committee and are now under discussion are:—

(4) *The number of members composing each Chamber of the Federal Legislature, and their distribution among the federating units;*

(5) *The method whereby representatives from British India and from the Indian States are to be chosen; and*

(6) *The constitution, character, powers and responsibilities of the Federal Executive.*

These three Heads the sub-Committee now proceed to discuss.

6. The sub-Committee do not, of course, claim to have evolved in all its details a complete plan for the Federal constitution. They consider that the best service they can render to the Conference is to state certain general principles and record conclusions on certain points with regard to which there appeared to be general or substantial agreement, and then to indicate the lines which further detailed examination on the subject ought, in their view, to follow. Many points have necessarily been left open which will have to be settled later after public opinion both in India and in England has had an opportunity of expressing itself upon them, in order that the completed constitution may be based on the largest measure of public approval in both countries.

THE EXECUTIVE.

7. The sub-Committee consider that it will be convenient to deal, in the first instance, with the last of the three Heads, namely:

Head (6). The composition, character, powers and responsibility of the Federal Executive; since, as was more than once

pointed out in the course of their deliberations, the view taken upon these matters may materially affect decisions upon the structure of the Legislature, the nature of its functions and the methods adopted for enabling these functions to be performed.

8. *Responsibility of the Executive.* The Report which follows proceeds on the basic assumption that the constitution will recognise the principle that, subject to certain special provisions more particularly specified hereafter, the responsibility for the Federal Government of India will in future rest upon Indians themselves.

9. *Method of providing for this.* In the opinion of the sub-Committee the proper method of giving effect to this principle is, following the precedent of all the Dominion constitutions,* to provide that executive power and authority shall vest in the Crown, or in the Governor-General as representing the Crown, and that there shall be a Council of Ministers appointed by the Governor-General and holding office at his pleasure to aid and advise him. The Governor-General's Instrument of Instructions will then direct him to appoint as his Ministers those persons who command the confidence of the Legislature, and the Governor-General, in complying with this direction, will, of course, follow the convention firmly established in constitutional practice throughout the British Commonwealth of inviting one Minister to form a Government and requesting him to submit a list of his proposed colleagues.

10. *Definition of Responsibility.*—The Governor-General having thus chosen as his Ministers persons who possess the confidence of the Legislature, it follows that they will retain office only so long as they retain that confidence. This is what the sub-Committee understand by the responsibility of Government to Legislature, in the sense in which that expression is used throughout the British Commonwealth. The expression also implies in their view that the ministry are responsible collectively and not as individuals, and that they stand or fall together.

11. *Safeguards.* It is, however, admitted that this broad statement of the principle of responsible government at the Centre, which will be the ultimate achievement of the constitution now to be framed, requires some qualification. There was general agreement in the sub-Committee that the assumption by India of all the powers and responsibility which have hitherto rested on Parliament cannot be made at one step and that, during a period of transition—

(i) The Governor-General shall be responsible for Defence and External Relations (including relations with the Indian States outside the federal sphere) and that

(ii) in certain situations, hereafter specified, which may arise outside the sphere of these subjects, the Governor-General must be at liberty to act on his own responsibility, and must be given the powers necessary to implement his decisions.

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* *e.g.*, Ss. 9 to 11 of the British North America Act, 1867;
Ss. 8 and 9 of the Union of South Africa Act, 1909;
Ss. 61 and 62 of the Commonwealth of Australia Constitution, 1900.

12. *Governor-General's advisers on reserved subjects.*—It was generally agreed that the presence of a person occupying the position of a Minister would be necessary to express the views of the Governor-General on Defence matters in the Legislature, since these will impinge upon strictly federal matters; the same is true of External Relations but there was not an equal measure of agreement with regard to the appointment of a person to represent the Viceroy in this latter subject. It is clear, however, that the Governor-General must be at liberty to select as his representatives in the reserved sphere any persons whom he may himself choose as best fitted for the purpose, and that on appointment they would, if holding Ministerial portfolios, acquire the right like other Ministers of audience in either Chamber of the Legislature. The suggestion was pressed that any persons so appointed should be regarded as ordinary members of the Council of Ministers, notwithstanding that they would be responsible to the Governor-General and not to the Legislature, and that they should be regarded as liable to dismissal though they would remain eligible for reappointment by the Governor-General with the rest of their colleagues. It is difficult, however, to see how this position could be reconciled with the principle of the collective responsibility of Ministers, and the sub-Committee find themselves unable to come to any definite conclusions on the matter, though they are of opinion that it merits much more careful examination than they have, in the time at their disposal, been able to give to it.

13. *Position of the Governor-General in relation to his Cabinet.*—With this subject is to some degree involved the question of whether the Governor-General should himself preside over the meetings of his Ministers. In the view of the sub-Committee no hard and fast rule can be laid down. It is clear that, especially in the transition period, occasions may often arise in which his presence would be desirable, and indeed, in certain contingencies, necessary. In these circumstances, it appears to the sub-Committee that the better course would be to provide in his Instructions that he shall preside when he thinks it desirable to do so, leaving the matter to his own discretion and good sense. It is, however, essential that the Governor-General shall be kept at all times fully informed of the state of public affairs and have the right to call for any papers or information which are at his Ministers' disposal.

14. *Governor-General's powers in relation to reserved subjects.*—It follows from the fact that the Governor-General will be himself responsible for the administration of the reserved subjects described above, that he should not be dependent for the supply required for them upon the assent of the Legislature, and that the annual supply for their service should be treated, along with other matters to be presently specified, in a manner analogous to the Consolidated Fund Charges in the United Kingdom. The budget allotment would be settled upon a contract basis for a term of years. It would further be necessary to empower the Governor-General in the last resort to take such steps as may be necessary to ensure that the funds required for the reserved subjects are forthcoming and also to some emer-

gency supply for these subjects in excess of the contract budget (*e.g.*, in connection with a sudden outbreak of hostilities on the Frontier). It follows that he should be empowered to secure the enactment of such legislative measures as may be essential for the discharge of his responsibility for these subjects.

15. The sub-Committee anticipate that in the event of its becoming necessary to use these powers the Governor-General would not ordinarily do so without consulting his Ministers, even though the responsibility for any action taken will be his and not theirs.

16. *Governor-General's special powers.*—With regard to subjects in the administration of which the Governor-General would normally act on the advice of his Ministers, it was generally agreed that arrangements must be made whereby in the last resort the peace and tranquillity of any part of the country must be secured, serious prejudice to the interests of any section of the population must be avoided, and members of the Public Services must be secured in any rights guaranteed to them by the constitution. It was further agreed that for these purposes the Governor-General must be empowered to act in responsibility to Parliament and to implement his decisions if occasion so demands by requiring appropriation of revenue to be made, or by legislative enactment.

17. *Use of the Governor-General's special powers.*—Stress was laid in some quarters of the sub-Committee on the necessity of so defining the use of these powers that they should not be brought into play, in derogation of the responsibility of Ministers for the purpose of day-to-day administration. It is obvious that the Governor-General would consider his relations with his Ministers and the Legislature before making use of these powers. He will have every inducement to stay his hand as long as possible and to be slow to use his own powers in such a way as to enable his Ministers to cast upon him a responsibility which is properly theirs.

18. *Finance. Special provisions.*—In the sphere of Finance, the sub-Committee regard it as a fundamental condition of the success of the new constitution that no room should be left for doubts as to the ability of India to maintain her financial stability and credit, both at home and abroad. It would therefore be necessary to reserve to the Governor-General in regard to budgetary arrangements and borrowing such essential powers as would enable him to intervene if methods were being pursued which would, in his opinion, seriously prejudice the credit of India in the money markets of the world. The sub-Committee recommend, with a view to ensuring confidence in the management of Indian credit and currency, that efforts should be made to establish on sure foundations and free from any political influence, as early as may be found possible, a Reserve Bank, which will be entrusted with the management of the currency and exchange. With the same object again, provision should be made requiring the Governor-General's previous sanction to the introduction of a Bill to amend the Paper Currency or Coinage Acts on the lines of Section 67 of the Government of India Act. They are further agreed that the service of

loans, with adequate provision for redemption, by Sinking Funds or otherwise, and the salaries and pensions of persons appointed on guarantees given by the Secretary of State, should be secured, along with the supply required for the Reserved Departments as Consolidated Fund Charges.

19. With these limitations the sub-Committee do not contemplate any differentiation between the position of the Finance Minister and that of any other Minister responsible to the Legislature, and in regard to taxation, fiscal policy and expenditure on objects other than those under the Governor-General's control, he would be responsible only to the Legislature. In this connection the sub-Committee take note of the proposal that a Statutory Railway Authority should be established, and are of opinion that this should be done, if after expert examination this course seems desirable.

20. The sub-Committee recognise that it may be difficult in existing conditions to set up a Reserve Bank of sufficient strength and equipped with the necessary gold and sterling reserves immediately, and that, therefore, until this has been done some special provisions will be found necessary to secure to the Governor-General adequate control over monetary policy and currency.

21. *Governor-General's ordinary powers.*—The sub-Committee assume that in addition to the special powers indicated above the Governor-General will continue to have, as at present, the right of refusing his assent to legislative measures, and of returning a Bill for reconsideration, and, subject to any Instructions issued to the Governor-General, that the existing powers of reservation and disallowance will remain.

22. *Bills affecting religion and Commercial discrimination.*—The question whether Bills relating to such matters as the religion or religious rites and usages of any class of the community should require the Governor-General's previous sanction to introduction will require consideration, as will also the question of discrimination between different sections of the community in matters of trade and commerce. There was general agreement that in these matters the principle of equality of treatment ought to be established, and various methods were suggested for the purpose. The sub-Committee content themselves, however, with saying that it is one which should be further examined and discussed in consultation with the various interests concerned.

23. *Breakdown of Constitution.*—In the event of a situation unhappily arising in which persistent and concerted action has succeeded in making the constitution unworkable, adequate powers will have to be vested in the Governor-General for the purpose of enabling the King's Government to be carried on.

THE LEGISLATURE.

STRUCTURE AND COMPOSITION.

24. Such being their views as to the character and responsibility

Method of election to Upper Chamber.—The sub-Committee are [illegible] of opinion that the British Indian members of the Senate should be elected by the provincial legislatures, by the single transferable vote.

27. *Life of the Upper Chamber.*—The Senate itself should not be subject to dissolution like the Lower House, but a fixed proportion of its members would retire (and be replaced or re-elected as the case may be) at regular periods.

28. *Distribution of Seats in Upper Chamber.*—As regards the distribution of seats in the Senate between the States and British India respectively, the sub-Committee have to report a difference of view. The States representatives on the sub-Committee pressed strongly for equality of distribution as between the States and British India. The British Indian representatives, on the other hand, were disposed to claim, on such grounds as area and population, a preponderance of seats for British India; but though opinions differed as to the precise degree of "weightage" to be conceded to the States, the sub-Committee are unanimous that some "weightage" must be given, and that a distribution of seats as between the States and British India on a strict population ratio would neither be defensible in theory nor desirable in practice. The sub-Committee trust that if the Conference fails to reach unanimity on this point, a satisfactory solution may yet be found as the result of discussion and accommodation hereafter.

29. *Distribution of Seats in Upper Chamber between Provinces.*—Granted a solution of this question, it has still to be considered how the seats available to the States and British India respectively are to be distributed amongst the individual units of each class. So far as the States are concerned, this must clearly be a matter for agreement by their Rulers in consultation between themselves and, if necessary, with the Viceroy. Difficult problems of grouping are involved, but these matters are outside the scope of the Conference. As regards the Provinces, precedents of other Federal constitutions could no doubt be cited in favour of complete equality as between Province and Province, and there was some opinion in the sub-Committee in favour of this plan. But while the opportunity should no doubt be taken for departing from the traditional apportionment as between Province and Province which has survived in the Chambers of the existing Indian Legislature, the sub-Committee are doubtful whether an arrangement which gave, for instance, to Assam with its 7½ millions of inhabitants, and Bengal with its 46½ millions, an equal voice in the counsels of the Nation, would commend itself to general public opinion. On the whole the sub-Committee would be disposed to regard a distribution as between Province and Province on a population ratio as the most convenient and satisfactory arrangement.

30. *The Lower Chamber—Size.*—The trend of opinion as to the size of the Lower Chamber was that it should consist of approximately 300 members, thus providing roughly one representative for

each million of the inhabitants of India. On the other hand the view was strongly expressed that the requirements of efficiency would not be met if the Chamber were to exceed 200 as a maximum. The sub-Committee as a whole recognise the force of these considerations, and also of the desire for a Chamber of sufficient size to afford a reasonable approach to adequate representation of the population. But since no real approach to this latter ideal could be secured without enlarging the Legislature to an undue extent, the sub-Committee think that having regard to the great importance which must be attached to efficiency of working, 250 should be adopted as the number of seats to be provided in the Lower Chamber.

31. *Distribution of Seats in the Lower Chamber.*—In the Lower Chamber the Indian States Delegation do not claim, as they do in the Senate, equality of representation with British India, but here also they claim some greater representation than they would obtain on a strict population ratio. The British Indian representatives on the sub-Committee were not, however, disposed to contemplate a distribution as between themselves and the States in this Chamber on any other basis than that of population. On this basis approximately 76 per cent. of the seats would be assigned to British India and 24 per cent. to the States. But while the latter view must be recorded as that of the majority of the sub-Committee, a substantial minority would regard so great a disparity between the two classes of units as inconsistent with and inimical to the ideal which the Conference has set before itself, and the minority wish strongly to urge upon their colleagues the desirability of subordinating theory to expediency in the interests of goodwill. No Conference can hope to bear fruit unless its members approach their task in a spirit of accommodation, and accommodation in this matter is, they are confident, not beyond the reach of Indian statesmanship.

The question of the respective powers of the two Chambers, which has been touched upon in para. 26 has also an obvious bearing on the matter.

32. *Method of election to Lower Chamber.*—Here again the sub-Committee regret that they are unable to record a unanimous view. The British Indian representatives almost without exception favour direct election by constituencies arranged on a plan generally similar to that of the "general constituencies" for the existing Legislative Assembly. They maintain that this method of election has not proved in practice inconvenient or unworkable, that such inconvenience as it has hitherto presented will be diminished with the increase which they contemplate in the number of seats available and the consequent decrease in the size of constituencies, that ten years' experience has firmly established it in popular favour, and that resort to any method of indirect election would not be accepted by Indian public opinion. Other members of the sub-Committee are unable to contemplate as a fitting repository of power and responsibility a Chamber whose members would have so exiguous a link between themselves and the population of the

areas they would purport to represent as would be provided by any system of direct election. Assuming for the sake of argument that as many as 200 seats were available for British Indian representatives, they note that the average size of a constituency would be some 4,000 square miles, and that if due allowance is made for the comparatively small areas of the urban constituencies, the general average would be even higher. They note that the Franchise sub-Committee have refrained from making any recommendation on the franchise for the Federal Legislature: consequently they cannot bring themselves to regard as popular representation according to the accepted canons of parliamentary government a system which provides for the "election" of members by an average number of some 5,000 electors scattered over an average area of some 4,000 square miles, and this difficulty would not be removed by an increase in the average number of electors by a lowering of the franchise; for an increase in the number of the voters in such vast constituencies would merely increase the difficulties of establishing contact between the candidate and the voter. But apart from these practical difficulties, some members of the sub-Committee feel strongly that, in the geographical conditions of India, any system of direct election would seriously prejudice the success of the Federal ideal. In their view it is of the utmost importance that the tie between the Centre and the units should be as closely knit as possible; and that it should be a tie of natural affinity of outlook and interest and capable of counteracting the centrifugal tendencies which, but for such a counterpoise, will be liable to develop in the Provinces from the increased autonomy now in prospect. In the opinion of those who hold this view the only satisfactory basis for representation in either Chamber of the Federal Legislature is election by the Legislatures of the Provinces. This need not involve the mere reproduction of the Lower Chamber on a smaller scale, if, as is suggested in this Report, special qualifications are prescribed for membership of the Senate. But if this plan is not adopted, and the view prevails that the members of the Assembly should be chosen to represent the populations of the units rather than their Governments or Legislatures, those members of the sub-Committee who are opposed to direct election desire to point out that it is not a necessary consequence of a decision in this sense that the populations of the areas should elect their representatives directly. Various devices are known to constitution-makers as alternatives to direct election, and they would strongly urge that every possible alternative should be explored before a final decision is taken.

33. *Life of the Lower Chamber.*—The sub-Committee are of opinion that the term of the Lower Chamber should be five years, unless sooner dissolved by the Governor-General.

34. *Representation of special interests and of the Crown in Federal Legislature.*—Two further points remain to be mentioned in regard to the composition of the Federal Legislature. Opinion was unanimous in the sub-Committee that, subject to any report of the Minorities sub-Committee, provision should be made for the

which will, like the Legislature, be composed of representatives of both States and British India, to differentiate the functions of Ministers in such a way as to exclude the responsibilities of States' representatives to Federal matters: no workable scheme could be devised with this object which would not strike at the root of the principle of collective responsibility in the Cabinet. For this reason the States desire, with the general assent of the sub-Committee, that their representatives in the Legislature should play their part equally with their British Indian colleagues in expressing the decision of the Legislature on any question which involves the existence of the Ministry, even if the matter which has given rise to the question of confidence is one which primarily affects British India only. At the same time Their Highnesses would prefer that the States' representatives should take no part in the decision of matters which, being outside the range of federal subjects, have no direct interest to the States. It would, no doubt, be possible so to arrange business in the Legislature that Bills or Budget demands of this character should be dealt with either exclusively or in the Committee stage by a Committee (analogous to the Scottish Committee of the House of Commons) consisting of the British Indian representatives alone. Some members of the sub-Committee think, however, that it would be unfortunate to initiate such a system of differentiation, and that, whatever conventions might be observed, it would be undesirable in terms to deprive the Legislature of the contribution which any of its members might be able to make on any matter within the Legislature's purview; and they think that it would be found in practice difficult, if not impossible, to classify a given matter as being one in which the States have no interest or concern, direct or indirect. The sub-Committee recommend, however, that the matter be further explored.

37. *Competence of the Federal Legislature.*—With reference to paragraph 5 of this Report, the reports of two sub-Committees are appended to this Report in which recommendations have been made as to the classification as federal, central or provincial, of all the subjects which are at present within the competence of the Indian Legislature. The sub-Committee endorse generally these recommendations, though they recognise that the further expert examination which the matter will undoubtedly require may show the necessity of some modification and adjustment. It will be observed that, apart from the specific recommendations made with regard to the treatment of the several items in the list, there is a general recommendation that legislative co-ordination required in respect of certain provincial subjects, or aspects of provincial subjects, should no longer be secured by the process of submitting Provincial Bills on these subjects for the previous sanction of the Governor-General, but firstly by scheduling certain existing Acts (and the same process would, of course, be applied to certain Acts of the Federal Legislature in the future) as being incapable of amendment in their application to a Province by the Provincial Legislature without the previous sanction of the Governor-General and, secondly, by granting concurrent powers of legislation to the

Federal Legislature on certain aspects of specified provincial subjects. It would be necessary to include a provision that any Provincial Act relating to these subjects which is repugnant to a Federal Act is, to the extent of the repugnancy, to be void.

38. *Residual powers.* The sub-Committee draw attention to the fact that, however carefully the lists of Federal, Central and Provincial subjects are drawn up, there is bound to be a residue of subjects not included in any of them. Whether these residuary powers of legislation are to rest with the Federal Government or with the Provinces is a matter on which the sub-Committee have come to no conclusion. Its great importance is, however, manifest, and it will need most careful consideration at a later stage.

39. *Control by the Federal Government over Provincial Governments.*—This topic leads naturally to the question of the powers of control to be exercised by the Federal Executive over the Provincial Executive and their nature and extent. It goes without saying that within the range of Federal subjects, the Federal Executive must have authority to ensure that Federal Acts are duly executed in the Provinces; it also goes without saying that within States' territory there can be no question of the exercise of any such authority, direct or indirect, outside the strict range of Federal subjects. But it seems equally evident that in matters affecting more than one Province of British India, even where they relate to subjects classified as Provincial, there must be some authority capable of resolving disputes and of co-ordinating policy when uniformity of policy is in the interests of India as a whole, and the sub-Committee consider that the constitution should recognise this authority as vesting in the Federal Government and should make suitable provision for its exercise.

Signed on behalf of the sub-Committee,

SANKEY,

Chairman.

St. James's Palace,

London.

13th January, 1931.

APPENDIX I TO SECOND REPORT OF SUB-COMMITTEE No. I

CLASSIFICATION OF CENTRAL AND PROVINCIAL SUBJECTS

REPORT OF JOINT COMMITTEE OF SUB-COMMITTEES Nos. I AND II.

The Joint Committee* of the Federal Structure sub-Committee and the Provincial Constitutional sub-Committee was appointed to consider in detail the lists of subjects circulated as R.T.C. (F. (S)) 3. Categories A, B, C and D only, and to suggest a provisional classification into three categories:—

(*a*) exclusively Central;

(*b*) exclusively Provincial;

(*c*) subjects in which the Centre and the Provinces are both interested and which might therefore be subject to central co-ordination, and to make any suggestions that they think fit as to the method to be adopted for securing this co-ordination.

We have considered the various subjects and make the recommendations shown in the right-hand column of the attached Tabular Statement. The enumeration is that of the present list of Central and Provincial subjects, Devolution Rules, Schedule I.

(Signed) ZETLAND,
Chairman.

6th January, 1931.

Proposed Classification of the Indian Central Subjects as detailed in Devolution Rules, Schedule I, Part I.

(Enumeration is that of the present list of the Indian Central Subjects.)

A: Those which are proposed to be wholly or partly federalised.

B: Those no portion of which is proposed to be federalised.

A: Central subjects which are proposed to be wholly or partly federalised.

The description of subjects in the Devolution Rules.	The recommendations of the Federal Structure sub-Committee regarding the extent to which they should be federalised.	The recommendation of the Joint Committee of sub-Committees Nos. I and II regarding the classification of the residue into three Categories. (*a*) Exclusively Central. (*b*) Exclusively Provincial. (c) In which both the Centre and Provinces are interested and which might be subject to central co-ordination.

* For membership, see list at end of tabular statement.

5. Communications to the extent describ- [illegible] lowing heads, namely:		
(a) Railways and extra municipal tramways in so far as they are not classified as provincial subjects.	Railways (including rail ways to be constructed or acquired in [illegible] *Federal* for policy and [illegible] tration to be Federal to the extent of powers now exercised by the Railway Board.	Present position should be maintained.
(b) Aircraft and all [illegible]	Federal . . .	—
(c) Inland waterways to an extent to be [illegible] made by G. G. in C. [illegible] legislation by the [illegible]	[illegible] legislation in respect of inland waterways affecting more than one unit.	The Committee is informed that as the administration is pro- [illegible] residue left for classification. But for steamships *see* list C, item 31.
6. Shipping and navi- [illegible] as declared to be a [illegible] der entry 5 (c)).	Federal for policy and [illegible]	[illegible] should be maintained.
7. [illegible]	Federal . . .	—
8. [illegible]	Federal as far as inter- [illegible] are concerned.	There are no marine hospitals. The only [illegible] vincial shipping [illegible] central subject.
9. Ports declared to be major ports by rule made by the G. G. in C. or by or under [illegible] Indian Legislature.	Such ports to be Federal as are declared to be major ports by rule made by Federal Government or by or under legislation by the Federal Legislature [illegible] may be delegated by the States under a convention.	There is no part of the [illegible] which is not federalised.

14. Savings Banks . .	Federal for policy and legislation regarding Post Office Savings Banks.	Since it was not clear to what Savings Banks, other than Post Office Savings Banks, this entry may refer, we have no recommendation to make.
15. The Indian Audit Department.	Federal audit to be Federal.	Provincial accounts should be a provincial subject. As regards audit the general sense of the Committee was that it should be a central subject but a substantial minority thought that the audit of provincial accounts should be a provincial subject.
17. Commerce (including banking and insurance).	Federal for policy and legislation.	Should be Central to the extent to which it is at present.
18. Trading Companies and other associations.	Do.	Do.
20. Development of industries, in cases where such development by central authority is declared by order of the Governor-General in Council made after consultation with the local Government or local Governments concerned expedient in the public interests.	Development of industries to be a federal Subject in cases where such development by Federal Authority is declared by order of the Federal Government made after negotiation with and consent of the federating units.	Development of industries should remain Provincial to the extent to which it is not federalised.
21. Control of cultivation and manufacture of opium. Sale of opium for export.	Federal for policy and legislation.	The position should be maintained as at present.
22. Stores and stationery both imported and indigenous required for Imperial Departments.	Stores and stationery both imported and indigenous required for Federal Departments to be Federal.	As regards non-Federal Central Departments the subject should be under the control of the Centre.
23. Control of petroleum and explosives.	Federal for policy and legislation.	The position should be maintained as at present.
24. Geological Survey of India.	Federal	—
26. Botanical Survey of India.	Federal	—
27. Inventions and designs.	Federal for policy and legislation.	The position should be maintained as at present.
28. Copyright.	Do.	Do.

29. Emigration from and immigration into British India.	Emigration from and immigration into *India*—Federal.	—
Inter-provincial migration.	—	The Committee suggests that the question of making migration between Federal units a Federal subject should be considered.
31. Central police organisation.	Federal police organisation to be Federal.	Central to the extent it is at present.
32. Control of arms and ammunition.	Traffic in arms and ammunition to be Federal for policy and legislation.	The position as regards control of arms and ammunition as apart from traffic in them should be maintained as at present. The provincial Governments should, however, have power to grant exemptions from the requirements of the Arms Act in respect of provincial areas.
33. Central agencies and institutions for research (including observatories) and for professional or technical training or promotion of special studies.	Federal as regards *future* agencies and institutions.	As regards existing agencies and institutions the subject should continue to be Central as at present—if it is not federalised.
35. Survey of India .	Federal . . .	—
38. Meteorology . .	Do. . . .	—
39. Census . . .	Federal for policy and legislation — the States reserving administration.	Central to the extent it is at present.
Statistics . .	All-India Statistics—Federal.	—
40. All-India Services .	Federal Services should be Federal.	Central Services should be a central subject. As regards All-India services, the question is for the consideration of the "Services" sub-Committee.
44. Immoveable property in possession of the Governor-General in Council.	Immoveable property acquired and maintained at the cost of Federal Government should be Federal	Immoveable property acquired and maintained at the cost of Central Government should be Central.
45. The Public Services Commission.	Federal for the purpose of Federal Services.	The Public Services Commission for the Central Services should be a central subject.

B: Central subjects, no portion of which is proposed to be federalised.

[illegible] subjects in the Devolution Rules.	The recommendation of the Joint Committee of the Sub-Committees Nos. I and II regarding their classification into three categories: (a) Exclusively Central. (b) Exclusively Provincial. (c) In which both the Centre and the Provinces are interested and which might be subject to central legislation.
16. Civil Law including laws regarding status, property, civil rights and liabilities and civil Procedure.	This question has been considered by the special Legal Committee and we therefore refrain from dealing with it. See Appendix II.
19. Control of production, supply and distribution of any articles in respect of which control by a central authority is declared by rule made by the Governor General in Council or by or under legislation by the Indian Legislature to be essential in the public interest save to the extent to which in such rule or legislation such control is directed to be exercised by a local Government.	The majority of the Committee considered that the Central Government should not retain the power which this entry gives.
25. Control of Mineral Development in so far as such control is reserved to the Governor-General in Council under rules made or sanctioned by the Secretary of State, and regulation of mines.	The control of mineral development should be entirely a provincial subject but the regulation of mines should remain a central subject to the extent it is at present.
30. Criminal Law including Criminal Procedure.	See No. 16 above.
34. Ecclesiastical administration—including European Cemeteries.	This should be a central rather than a provincial subject. It is, however, to be considered whether it should not be a Crown subject.
36. Survey of India	The present position should be maintained.
37. Zoological Survey . . .	Do.
42. Territorial changes—other than inter-provincial and declaration of laws in connection therewith.	The Committee understands that this has already been decided to be a matter to be dealt with under amendments of the constitution.
43. Regulation of ceremonial titles, orders, precedence and civil uniform.	The Committee understands that this has already been decided to be a matter more properly falling under the authority of the Crown.

The Joint Committee [illegible] that [illegible] should be made making [illegible] therein [illegible] subject.

Recommendations in respect of those of the Provincial subjects in respect of which some control is exercised by the Centre.

Devolution Rules, Schedule I, Part II.

(Numbering as in the present list of the Provincial subjects.)

C. Provincial subjects which are subject to legislation by the Indian Legislature.

D. Provincial subjects specially excepted and those in respect of which extra-provincial control is exercised.

C: Provincial subjects subject to legislation by the Indian Legislature.

Description of subject in the Devolution Rules	The recommendation of the Joint Committee of sub-Committees Nos. I and II regarding their classification into three categories: (a) Exclusively Central. (b) Exclusively Provincial. (c) In which both the Centre and the Provinces are interested and which might be subject to central co-ordination.
Local Self Government. 1. As regards: (a) the power of local authorities to borrow otherwise than from the Provincial Government; (b) the levying by such authorities of taxation not included in Schedule II of the Scheduled Taxes Rules.	As regards these two matters the Committee thinks that the words "subject to the previous sanction of a central authority to the extent to which such sanction of the Governor-General is now required" should be substituted for the words "subject to legislation by the Indian Legislature."
2. *Public Health, Sanitation and Vital Statistics.* As regards infectious and contagious diseases to such extent as may be declared by any Act of the Indian Legislature.	In respect of the specific matter of infectious and contagious diseases in the sphere of public health, which is now subject to legislation by the Indian Legislature, the majority of the Committee are in favour of co-ordination as against legislative control by the Centre.
5. *Education.* As regards the definition of the jurisdiction of any University outside the Province in which it is situated.	We suggest that the full Committee should consider whether this should not be a Federal subject.
6. *Public Works—light and feeder Railways and extra-municipal tramways in so far as provision for their instruction and management is made by provincial legislation.*	

6.—*contd.* As regards any such railways or tramways which are in physical connection with a main line or are built on the same gauge as an adjacent main line.	The present position should be maintained.
7. *Water-supplies, irrigation and canals, drainage and embankment, water storage and water power.* As regards matter of inter-provincial concern or affecting the relation of a Province with any other territory.	Do.
10. *Agriculture.* In respect of destructive insects and pests and plant diseases to such extent as may be declared by any Act of the Indian Legislature.	As in No. 3 above.
11. *Civil Veterinary Department.* In respect of animal diseases to such extent as may be declared by any Act of the Indian Legislature.	Do.
14. *Forests.* As regards disforestation of reserved forests.	The Committee thinks that deforestation of reserved forests should be exclusively Provincial.
15. *Land Acquisition.*	Legislation should be exclusively Provincial; but the right of the Central Government to acquire land for its own purposes should be fully safeguarded.
17. *Administration of Justice.* As regards High Courts, Chief Courts, Courts of Judicial Commissioners and any courts of criminal jurisdiction.	The present position should be maintained.
19. *Administrators — General and Official Trustees.*	The subject should in future be Provincial.
20.—(a) *Non-Judicial Stamps.* (b) *Judicial Stamps.* As regards amounts of court fees levied in relation to suits and proceedings in the High Courts under their original jurisdiction.	In both cases the present position should be maintained.
21. *Registration of deeds and documents.*	In both cases the present position should be maintained.
22. *Registration of births, deaths and marriages.* As regards such classes as the Indian Legislature may determine.	This should be subject to legislation by the Indian Legislature— (*a*) for marriages in the case of such classes as the Indian Legislature may determine. (*b*) for births and deaths in the case of Europeans and foreigners.

26. *Industrial matters.* As regards (a) Factories. (b) Settlement of labour disputes. (c) Electricity. (d) Boilers. (g) Welfare of labour, including provident funds, industrial insurance (general, health and accident) and housing.	As regards (a), (b), (c), (d) and (g), there should be a concurrent power of legislation vested in the Provinces and in the Centre. The previous sanction of the Governor-General should not be required in the case of provincial legislation
28. *Adulteration of Food Stuffs and other articles.* As regards import and export trade only.	The present position should be maintained.
29. *Weights and measures.* As regards Standards . . .	Do.
31. *Inland Waterways including shipping and navigation thereon.* As regards inland steam vessels only.	Do.
33. *Miscellaneous matters.* (d) *Control of poisons* . . (e) *Control of Motor vehicles* . As regards licences valid throughout British India. (f) *Control of dramatic performances and cinematographs* As regards sanction of films for exhibition.	Do.
34. *Control of newspapers, books and printing presses.*	Do.
37. *Criminal Tribes*	The subject should be exclusively Provincial.
38. *European Vagrancy* . . .	The present condition should be maintained.
39. *Prisons and Prisoners* (except persons detained under The Bengal State Prisoners Regulation, 1818. The Madras State Prisoners Regulation, 1819. The Bombay Regulation XXV of 1827), *and Reformatories.*	The subject should be exclusively Provincial (but with continuance of central legislation as regards State prisoners).
45. *Regulation of medical and other professional qualifications and standards.*	The present position should be maintained. The question of making this subject Federal should be considered.
47. *Control of Services.* As regards public services within the Province other than All-India Services.	The Committee refrains from making any recommendation as the matter falls within the purview of the "Services" sub-Committee.

The Joint Committee recommends generally with regard to the existing legislation on the above subjects that statutory provision should be made similar to that suggested by the Legal sub-Committee on Civil and

Central laws are paramount and [illegible] Central Acts should not be repealed or altered by Provincial Legislatures without the previous sanction of the Governor-General. [illegible] Committee considers that where the Centre and Provinces have concurrent legislative powers, the Central Law would prevail in case of conflict.

D : Provincial subjects specially expected and those in respect of which extra-provincial control is exercised.

The description of the subject in the Devolution Rules.	The recommendation of the Joint Committee of sub-Committees Nos. I and II regarding their division into three categories: (a) Exclusively Central (b) Exclusively Provincial (c) In which both the Centre and the Provinces are interested and which might be subject to central co-ordination.
5. *Education.* The following two are not provincial subjects:	
(1) The Benares Hindu University, The Aligarh Muslim University and such other Universities as may be declared by the Governor-General in Council to be central subjects.	The Benares and Aligarh Universities should be central subjects, together with such Universities constituted after the inauguration of the new constitution as may be declared by the Central authority to be central subjects.
(2) Chiefs' colleges and any institution maintained by the Governor-General in Council for the benefit of the members of His Majesty's Forces and of other public servants or of the children of such members or servants.	The question of making chiefs' colleges and institutions for the benefit of members of His Majesty's Forces or their children Federal subjects should be considered; otherwise Central.
6. *Public Works.* Ancient monuments as defined in Section 2 (1) of the Ancient Monuments Preservation Act, 1904, which are for the time being declared to be protected monuments under Section 3 (1) of that Act, are central subjects.	The position should be maintained as at present.
8. *Colonisation and disposal of Crown Lands not in possession of the Governor-General in Council.*	
The control is exercised by the Secretary of State in Council under Section 30 of the Government of India Act.	The Joint Committee considers this subject to be beyond its terms of reference.

16. *Excise.* [illegible] ture and sale for export of [illegible] central subjects.	The present position should be maintained.
24. *Development of mineral resources* [illegible] *property.* This power is subject to rules made or sanctioned by the Secretary of State.	The [illegible] of development should rest with the Government—Central and Provincial—under whose authority the resources are developed.
24A. *Control of production, supply and* [illegible] *of* [illegible] *articles.* The extent to which such control is directed to be exercised by a local Government is laid down by (*a*) a rule made by the Governor-General in Council, (*b*) or under legislation by the Indian Legislature.	See item No. 19 in the list B above.
27. *Stores and Stationery.* In the case of imported [illegible] the control is subject to such rules as may be prescribed by the Secretary of State in Council.	The Joint Committee sees no necessity for regulation by a superior authority of imports of stationery by provincial Governments.
30. *Ports.* Such ports as may be declared by the Governor-General in Council to be major ports by a rule made by the Governor-General in Council or by or under Indian legislation are not provincial but central subjects.	See item No. 9 in the list A above.
31. *Inland Waterways.* The Governor-General in Council may declare some to be central [illegible].	See item No. 5 (*b*) in the list A above.
[illegible] *Railway Police.* In the case of the Railway Police this control is subject to such conditions as regards limits of jurisdiction and Railway contribution to cost of maintenance as the Governor-General in Council may determine.	The present position should be maintained
39. *Prisons and Prisoners.* Prisoners detained under the Bengal State Prisoners Regulation 1818, the Madras State Prisoners Regulation, 1819, the Bombay Regulation XXV of 1827, are central subjects.	See item No. 39 in the list C above.
42. *Libraries and Museums.* The Imperial Library, the Indian Museum, the Imperial War Museum and the Victoria Memorial, Calcutta, are central subjects.	The present position should be maintained. The question of making these institutions Federal should be considered.

49. *Borrowing money on the sole credit of the Province.* This power is subject to the provisions of the local Government Borrowing Rules.	The present position should be maintained.

N.B.—The Joint Committee consisted of the following members:—Lord Zetland, Mr. Sastri, Sir B. N. Mitra, Mr. Mudaliyar, Sir M. Shafi, Sir S. Ahmed, Sardar Ujjal Singh, Mr. Gavin Jones, Dr. Ambedkar, Nawab Sir Ahmad Said Khan, Mr. Joshi, Raja Narendra Nath, Sir A. P. Patro, Sir Chimanlal Setalvad, Mr. Zafrullah Khan.

APPENDIX II TO SECOND REPORT OF SUB-COMMITTEE No. I.

CIVIL LAW AND CRIMINAL LAW AND PROCEDURE.

Report of the Legal sub-Committee of sub-Committee No. I.

The Legal sub-Committee have considered the possibility of giving Provincial legislatures a plenary power of legislation over the whole field of civil and criminal law and giving the Central legislature power to legislate in those matters only which are necessarily the concern of the Central authority. They find however that it would be difficult, if not impossible, to specify or even to indicate in general terms all the matters which should be reserved for the Central legislature, and that, therefore, it will be necessary to give the Central legislature a wide power of legislation. The Committee think also that it is necessary in the interest no less of the Provinces than of British India as a whole that the uniformity in civil and criminal law which now exists should be maintained. At the same time they think that the Provincial legislatures should have a wide power of legislation as regards civil and criminal law for provincial purposes. The sub-Committee think that these objects in view can best be secured by giving the Central legislature a plenary power of legislation on all matters of civil and criminal law and giving Provincial legislatures a concurrent power of legislation except as regards those matters which are necessarily the concern of the Central authority, e.g., laws relating to international obligations, laws for territories not subject to any Provincial legislature and laws affecting any power expressly reserved to the Central authority by any law for the time being in force.

To preserve the uniformity which at present exists the present arrangement should be maintained under which certain important Acts cannot be repealed or altered without the previous sanction of the Governor-General. The Acts are specified in rules made under section 80A (3) (h) of the Government of India Act but the list requires certain alterations and additions.

On all other matters so far as the legislative power of a Provincial legislature is concurrent with that of the Central legislature it should be capable of being exercised without any previous sanction but it should be declared to be subject to legislation by the Central legislature so that in case of a conflict between Central and Provincial legislation the former would prevail. The sub-Committee think that if this plan were adopted Provincial legislatures would have in the field of civil and criminal law a power of legislation which would be sufficient for their needs. To give effect to this plan items 16 and 3[illegible] of the Central list should remain as they are, a complementary entry should be made in the Provincial list and provision should be made somewhere in the Act on the lines of section 80A (3) (h) to secure the uniformity desired.

This uniformity should extend to such matters as those covered by the Acts referred to in the rules made under section 80A (3) (h). The list of the Acts contained in the rules will require further examination and must in any case be brought up to date.

31st December, 1930.

N.B.—The sub-Committee consisted of the following members:—Sir Muhammad Shafi, Sir Tej Bahadur Sapru, Sir C. P. Ramaswami Aiyar, Mr. Jayakar and Mr. [illegible] with the assistance of Sir Edward Chamier and Sir Maurice Gwyer.

Aga Khan, and others. Sir Tej made an appeal to the Indian Princes which was couched in the following terms: "I think the Indian Princes every inch as patriotic as any one of us, and I make an earnest appeal to them not to confine their vision merely to what is called one-third India. Let them move forward with a vision of an India which shall be one single whole, each part of which may be autonomous and may enjoy absolute independence within its borders, regulated by proper relations with the rest. I therefore ask them to come forth on this occasion and say whether they are prepared to join an All-India Federation."

Sir, I do not desire to stress the fact that the appeal was made to us by British India, for I say quite frankly: if British India had not suggested to us the federal idea, we would have suggested it to them, for we were and we are convinced that only through Federation can we, all of us, British India and the Indian States alike, contribute our quota to the prosperity and well-being, and to the glory of our beloved Motherland. Our country is too vast, too variegated in its resources, in its population, in its cultures, to be content with a sterile uniformity which will confine all of us, whether we live in Kashmir or at Cape Comorin, in Bengal or in Sind, into a single mould. The greatness of India consists in the fact, that while she manifests an underlying unity, this unity is of a kind sufficiently tolerant and sufficiently all-embracing to permit her sons, from whichever part of the Continent they may come, to contribute their separate cultures to the common heritage.

With these considerations in our minds, what was our response to Sir Tej Bahadur's appeal? The Princes and the representative members of the Indian States Delegation at once supported the idea of Federation. His Highness of Bikaner, my esteemed and revered brother, lent his support on behalf of the Princes, and made the point of view of the States abundantly clear.

Perhaps I may be permitted to quote a few sentences from the speech which I delivered here on the 20th November: "Speaking for myself, and I am sure too, on behalf of my brother Princes, I cordially reciprocate the view of Sir Tej Bahadur Sapru of the share which the Indian States can contribute in a united Federal India, and I particularly endorse his remark that when the time comes they will furnish a stabilising factor in the constitution. I note that both he and other speakers recognise that nothing in a system of Federation connotes any interference in the internal affairs of the States, and that their treaties with the Crown will remain unaltered, unless modified by mutual consent, and that it is in matters of common consent hereafter to be defined by mutual agreement and in nothing else that Federation will be concerned. On that understanding only one feature has to be added to the picture, namely, that the Federation shall be equal on both sides, and that there can be no question of the status of the States in any way being subordinate to that of the rest of India. On those conditions, I say, I entirely agree with the principle of Federation. The details will have to be worked out by the sub-Committee already appointed for the purpose.

and must provide that all States who agree to participate shall be properly represented."

Sir, to this declaration I adhere, and I think I have the support of almost all the States represented here. Since the time when I made the above statement we have spent many hours in the examination of the practical problems presented by the federal idea. The Princes have shown in the most practical manner that they have been willing, and indeed anxious, to make sacrifices for the common good of India. We have agreed over a wide range of very important subjects to delegate our much cherished sovereignty to federal institutions in which we of the States will be represented. We have throughout, I venture to assert, shown that our first thought has been for a prosperous and united India. If from time to time we have thought it necessary to interpose a caution or to put forward a claim, it has been due to the fact that we are the trustees for our subjects; for, owing to the circumstances which are in large measure beyond our control, we in the Indian States have not enjoyed many of those advantages which have brought prosperity to British India. We have been in some sort the step-children of the Government of India; we have been isolated from the tide of progress; we have been buried in back waters away from the main stream of economic and political development. We also feel, therefore, that our own people are not as yet fitted in all directions to hold their own with the people of British India; we think that some allowance must be made for them, if they are not to start in the friendly competition of service to our Motherland under a crippling handicap. We therefore appeal to all concerned that advantage should not be taken of the fact that we are comparatively undeveloped and under-populated.

I have heard some anxiety expressed in certain quarters regarding the constitutional position of subjects of the Indian States. This matter is plainly beyond the jurisdiction of this Conference, since it is solely a domestic concern of each Sovereign State. But the question is so near my own heart, as well as, I know, to that of my brother Princes, that I take leave to refer to it in the course of these remarks. I would point out that the Chamber of Princes has already taken it up, and by formal resolution has brought it prominently to the notice of each constituent member. So far as my own State is concerned, the fundamental rights of the subjects have already been proclaimed, such, as to mention only a few, *habeas corpus*, religious freedom, liberty of person and security of property, and the independence of Judiciary, etc.

I am sure that my State is no exception among other States who have done similar things. I apologise for this digression into personal and domestic matters and for having mentioned them here, but I believe it will be useful.

Sir, the question of paramountcy, as we all know, is outside the ambit of the present discussion. This is not the place nor the occasion to discuss in detail the exercise of these powers of paramountcy over the States which at least is our view, in one form or

Sir, before concluding this brief survey of the work of the Federal Structure sub-Committee, it is my great pleasure as well as my bounden duty to pay my tribute to the Lord Chancellor. We owe to his patience, power of persuasion, courtesy and ability, the principal measure of the success which this, the Central Committee of all, if I may be permitted the expression, has been able to achieve.

The Reports of the other sub-Committees are also before us. Much of the spade work has been done, but as they primarily concern the internal affairs of British India, I will not attempt to survey the field in any detail. In their case, however, I find that there also is a great deal of agreement as far as principles are involved. There may be some difference of opinion over questions of detail; but we have not tried to work out details, and even if we had attempted we could never have finished our work even in six months. Indeed, as I have already pointed out, there are still many details to be filled in so far as the Federal Structure itself is concerned. There is ample time to work out these details in small committees in India or elsewhere. But enough has been done to enable us to take decisions on questions of vital importance; and that is exactly what, as I understand, we are here for. Let us, therefore, if I may respectfully suggest it, confine ourselves to decisions on questions of principle and thus come to satisfactory conclusions as quickly as possible. Anyhow, whatever be the result of further negotiations and in whatever manner the details may be fixed, of one thing we are certain. We have laid the foundations for a self-governing Dominion of India, into the constitution of which both British India and the Indian States will enter as honourable and co-equal partners; which will provide, in the words of a Resolution passed in the Chamber of Princes in February of last year "necessary safeguards and reservations for all vital interests in the country," and which will enable India to take her place among the greatest Dominions of the British Commonwealth of Nations. Nothing, I am sure, will shake us from this great decision. It is now only left for all of us to see that the edifice which we have begun is completed in a manner worthy of its inception.

With these few general observations on what we have been doing in our Committees and what still remains to be done, I close these all too inadequate remarks by making two appeals.

The first I address to our friends of British India, and I make this first appeal with the more confidence in that I personally have always held it to be the first duty of an Indian Prince that he should also be an Indian nationalist. In these last stages of our important work I know we are all agreed that the time has come when Princes and people, leaders of the Indian States and leaders of British India, once again stand united in our determination to leave nothing undone which will advance the reputation and honour of the country which we love so well.

We have set clearly before our eyes the ideals formulated by Lord Sankey when he adjured us to think not of British India, not of the Indian States, but of India. We hold our mother country before everything else before our individual claims, before the claims of our States, before the claims of British India; for in literal truth there is no reason why we should not stand united.

There is nothing in the respective faiths of the Muslims and of the Hindus to lead to ill-will between us. Will it therefore be too much to expect that whatever communal differences may remain will now, in these final stages, be once for all settled? Shall I be considered presumptuous if, in the fair name of my Motherland, I appeal to my respected brethren to drown all such differences in the deep sea and to emerge out of this Conference all united as one homogeneous body, Hindus, Muslims, Depressed Classes, Sikhs and other minorities, all happy and contented, strong and pure, ready to work out the destinies of our India, destinies which we hope will soon be placed in our hands?

Let us all, then, labour courageously and with good heart to secure for each interest in India its due consideration and its necessary safeguards, setting clearly before our eyes the ideal which we all cherish of an India in which internal rifts and dissentions shall have disappeared.

My next appeal is addressed to the Government, to the political parties and to the people of Great Britain. Before I make it, may I pay my tribute to the manner in which you, Mr. Prime Minister, and your Government, together with the members of the other political parties, have received us in our capacity as representatives of India. I am sure I am speaking not merely on behalf of myself or the Indian Princes, but on behalf of the entire Delegation to the Round Table Conference, when I say that it has been a source of great satisfaction and encouragement to all of us throughout the proceedings of this Conference to feel that the fundamental desire of Great Britain has been to hear India's claim in a spirit of equity and justice.

Your own personality, Mr. Prime Minister, has been a perpetual inspiration to us, and I should like at the same time to include in my grateful thanks our Secretary of State, Mr. Wedgwood Benn, who has worked, as we all know, without rest for the success of the Conference.

Sir, as to the manner in which India's claim has been put forward it is not right for me to speak; but as an Indian I can only say that I am proud of the service which has been done for my country by her most honoured sons. The statesmanship, the wisdom, the moderation and the foresight which have characterised the work of eminent patriots on the other side of the Table would, I venture to think, do honour to the most prominent representatives of any country in the world.

That the manner in which the cause of India has been pleaded has been effective is amply apparent, I think, from the courageous

and broadminded speech of Lord Reading. Lord Reading, if I may be permitted to say so, is a worthy upholder of the great Liberal tradition which has contributed so much to the glory of Britain. His speech was in that same lofty strain of statesmanship which in times past converted a rebellious Canada and a seceding South Africa into loyal and devoted partners in the British Commonwealth. It has given to all of us new hope, for it has made us feel that the friendly and sympathetic public opinion of Great Britain, to which I have already referred, will in no long time find expression in definite terms.

To those sections of opinion which are still hesitating may I say this. It is from you that Indians have learned to value free institutions. To you they owe the growth of that sense of common nationhood that now inspires them in their claims on behalf of their country.

We on this side of the Table cannot be classed as agitators. Our stake in India is great indeed, and yet we join with our brethren in British India in urging you to a generous measure of political advance. Should we do this if we did not believe that the time for a substantial and effective advance had arrived? Are we likely to risk chaos and disorder of a kind which must touch us far more nearly than it can possibly touch you? Are we likely to imperil the administrative traditions which are amongst the greatest of Britain's gifts to India? I state confidently that Britain has no better friends in India than the Indian Princes who yield to none in their devotion to the King Emperor and in their attachment to the British connection: yet it is we, as well as British India who now urge Britain to a bold and generous policy.

There may be anomalies in the constitution which we have tried to set up but which constitution in the world is free from anomaly? There may be scope for criticism of the constitution we are proposing, but which constitution can be safe from criticism? The structure may not be perfect, but where else in the world has an attempt been made to frame a constitution for so many varied interests and communities, and what country has tried to bring into one homogeneous whole such heterogeneous elements? Why should we then be despondent if we do not succeed in designing a constitution which would satisfy the fastidious demands of the enthusiasts for a constitution purely on the lines of the British unitary system? Our problems are unique, and we can solve them only in an unique manner.

May I remind this Conference of the wise words of the Marquess of Lothian, who said that the one, the only, cure for irresponsibility was responsibility. Give India, then, responsibility, coupled with such safeguards as may be agreed upon to be necessary for the transitory period, and you will at once gain the loyal co-operation, the firm friendship, of one-fifth of the human race. Let us go back and tell our people that "British statesmanship has risen to this, as to so many other emergencies. The way is clear for India's

Committee and the Federal Structure sub-Committee. The Muslim members of these Committees have taken part in and given their assent to some of the recommendations of these sub-Committees on the distinct and clear understanding that the position of the Muslim community will be effectively safeguarded in the future constitution of India. We have throughout acted in a spirit of compromise, and have spared no efforts to bring about the desired results. As you are aware, Sir, we have unfortunately failed to accomplish this object, and no settlement of the outstanding Hindu-Muslim problem has been effected. In these circumstances we feel that the only course that is consistent alike with the position of our community and its peculiar needs, and the smooth working of the new constitution which we have been seeking to evolve during the last nine weeks, is to reiterate our claim that no advance is possible or practicable, whether in the Provinces or in the Central Government, without adequate safeguards for the Muslims of India, and that no constitution will be acceptable to the Muslims of India without such safeguards."

Colonel Haksar: Mr. Prime Minister, we have reached a stage [illegible] when we must deal comprehensively with the whole problem of India instead of in parts as we have had to do so far. We have to gather up the threads of our discussions in the various sub-Committees and to weave a pattern with these. Thus alone should we be able to judge the strength of the texture and the effect of colour and design. From the point of view of the States, Sir, we are principally interested in the recommendations about the future constitution, its component elements, its composition, the powers of the Government at the Centre, and the extent of its responsibility to the Federal Legislature. We are also vitally concerned with regard to the proposals in regard to national defence which deal with the question how and at what rate India can be made responsible for the defence of her frontiers.

Although many important details remain to be worked out even in respect of these points, the material in our hands is sufficient to provide the outlines of the scheme which would result from the completion of these details and to enable us to estimate its merits from the common standpoint of India and England.

I venture to think that one cardinal fact is fully appreciated by everyone in this Committee, and it is that India as a whole will judge any scheme by this single criterion—does it or does it not transfer to the people of India the maximum responsibility practicable at this stage to manage their own affairs? England, after the unforgettable manifestation of sincere good will towards India and her genuine desire to make India an equal partner in the British Commonwealth, will justifiably apply this test: Does the scheme provide adequate safeguards for the safety, stability and good government of India, and for the maintenance, for as long as the British Empire endures, of cordial co-operation between

as soon as India's development in certain spheres renders them unnecessary. Nor is India going to be debarred from showing, as soon as that point of advance is gained, that they have ceased to be justified.

One of the reservations is in respect of defence. In this question are involved the vital interests of the States, several of whom have assigned or ceded extensive territory to the British Government as the price of military protection. Others are paying subsidies. These and the contributions of the States in other numerous ways must come into the reckoning as soon as the subject of federal financial obligations is taken up for determination.

I will touch upon one more point only, and that concerns the proportion which the representations of the States should bear in the Federal Houses, especially the Upper House, to the representatives of British India. It would be readily agreed that the essence of Federation is equality of status. In it there can be no question of the subordination of one component part to another. No unit or group of units can dominate any other unit or group of units. But, further, when the historic position, the sovereign character and the special value of the States to the Federation in the matter of defence is realised, their claim to equality of representation must be held established: for, after all, the States on the one hand and British India on the other truly represent the federating entities and they are but two.

It would be easy to attack this claim as it is always easy to attack any constitution, and, indeed, to destroy it by the shot and shell of logic, and no one can pretend that the constitution, only the bare outlines of which we have worked out in this Conference, can withstand the onslaught of the political logician or constitutional purist. But, Sir, in my humble view, of all the futile people in the world the constitutional purist is the most futile; and for this sufficient reason, if I may say so, that constitutional purism represents the doctrine of the utterly impossible, which disregards the fact that constitutions are not beautiful dreams concretised but practical methods applied to the practical needs of the workaday world by imperfect men for the benefit of imperfect men. There are no constitutions, however admirable in their working, which are not open to logical objections. We can therefore safely leave aside the objections of the logically minded and of those impressed by the necessity of approximating constitutions to recognised theories. It is the workability of a constitution that matters and however imperfect a constitution, experience has shown that, given men of earnest purpose, the worst constitution can be made a great practical success.

Sir, the constitution which has been sketched in outline is evolved from the play of mind upon mind, and from the interaction of points of view different no doubt but differing in consequence of the approach to the goal from different standpoints. A widespread impression has been in existence that India wants to have nothing

to go with Britain while Britain wants to continue for ever to dominate India. What those of us not only inside this Conference but outside it have found the position in reality to be, is that England recognises that India must have liberty to manage her own affairs, whereas representatives of India here realise not merely the advantages of the British connection but also the advantage of certain restrictions, at any rate for the time being, upon the ample liberty of India. If it is not a useless digression, Sir, I would venture to say that the text from which all the sons of both countries should henceforth preach is contact, personal contact, more intimate contact. If such close contact is maintained throughout the coming month I see no occasion for despair. Indeed I am full of hope that such an association of thought and will, when the last finishing touches have been put to the picture, will produce not so much a beautiful picture as a living one. In that hope and in that belief I beg that the bulk of the proposals now before us should be gladly and wholeheartedly adopted by us, in order that the necessary atmosphere may be created for the necessary developments that are still to come.

Diwan Bahadur Ramachandra Rao: Mr. Prime Minister, we are thankful to you for giving us this opportunity of making a few general remarks on the Report of the sub-Committee as it has been presented to us. It seems to me without committing myself to every one of the proposals made in this Report that I might, on my own behalf, express great satisfaction that this question of Federation has been placed on a sound footing.

Sir, in the long discussions that have taken place during the last ten years in the Legislative Assembly on the question of the constitutional position of India, three questions have always been prominently raised. One of them is: what is to be the position of the Indian States in the new constitution; secondly, how is India to get self-government without being placed in a position to defend herself, and the third is the perpetual and difficult problem of Hindu-Muslim relations.

Now, Sir, I may say that the proceedings of this Conference in Committee and in Plenary Session have taken the solution of this problem in the three directions to a very successful issue. With regard to the Indian States, it has been my dream that the constitution of India should embrace all these States and that we should have a united India as a self-governing unit; and I venture to say that I took up the cause of the people of the States in Conferences of the people of the States and I hope and believe that they will also favour a Federation. The Princes have placed the whole of India under a deep debt of gratitude by coming into the Federation in this way and completing the political structure for the whole of India in the manner which has been attempted in this Report. Therefore it is a matter of great satisfaction that the development of the India polity has been accelerated by the consent and by the willing agreement of the Princes to come into the Federation.

Otherwise we should have been faced with a number of other difficulties, if the question of Dominion Status for British India alone had to be considered. But, Sir, His Highness the Nawab of Bhopal has referred to the anxiety which has been felt in the States with regard to the position of the people of the States. I have circulated a note to all the Members of the Committee of my views on this subject, especially with regard to the position of the people in the Indian States. They are now under autocratic administrations, and it has been felt that the only way in which the question of citizenship rights could be solved is by enacting in the Constitution the fundamental rights which will be applicable to not only the people of British India but the people of the Indian States, also citizenship rights which will be clearly defined in regard to all the people of the Federating States and Provinces.

That is the position that I take up with regard to this matter and it is a matter of great satisfaction to me to know that citizenship rights have been conceded in the State of Bhopal, and that other Indian Rulers are also contemplating it. His Highness the Maharaja of Bikaner and other ruling Princes, I understand, have under contemplation proposals for placing the position of the Indian States' subjects on a firm footing; but my contention is that the only way in which this could be satisfactorily dealt with is by enacting citizenship rights in the constitution so as to be applicable also to the people of all the Federating States.

Sir, that is a matter which I expect will receive consideration in the near future, and I trust that this matter will be placed on a satisfactory footing. Perhaps it is only necessary to say that the Nehru Report, of which I see some of the distinguished authors here, has laid great stress upon enacting the fundamental rights in the constitution, and this subject has been referred to almost in every sub-Committee of the Conference which has had to deal with this question of the Indian constitution.

With regard to Defence, I also think that the whole question in India should be viewed from the point of view as at what pace the Indian Army will be Indianised. I am aware of the difficulties of the problem, but there is something like being too cautious in this matter, and I trust that we shall be able to achieve this result as early as possible, and that the question of national defence and transferring the responsibility of defending India to the shoulders of the sons of India will receive very adequate consideration. I do not wish to refer to other matters which I daresay will arise on the Report as a whole.

Mr Joshi: Sir, It is a matter of some gratification that the Report of the Federal Structure sub-Committee proposes to place in the hands of the Indians a great portion of the responsibility of the Government of India; but, Sir, the mere fact that the power of governing India will henceforth be transferred to Indians is not in itself sufficient to create enthusiasm in the hearts of those who care for the interests of the masses and of the working classes. The

made no recommendations regarding the franchise for the Federal Legislature. I am afraid that if there is no mention of the franchise, and if direct election is insisted upon, it is possible that the political powers which will be transferred under this constitution will be transferred only to a very small number of the Indian people.

I have a preference for direct election, but if it is found that under a system of direct election adult franchise will not be practicable, and if I am given a choice of direct election under a limited franchise and indirect election with an adult franchise, I shall unhesitatingly accept the latter, because I feel that what is important for the people of India is not a mere transfer of political power from the British bureaucracy to an Indian aristocracy and oligarchy; what is important is that political power will be transferred from the British bureaucracy to the Indian people.

Mr. Jadhav: Sir, the political aim of the party which I have the honour to represent in the Legislative Council of Bombay is the attainment of complete Dominion Status at as early a stage as possible, and as the first step towards the realisation of that object, I accept the present Report on behalf of the communities I represent. I can say that the people in the Bombay Presidency, the Mahrattas and the allied communities and the backward communities in general, will accept this present step as a substantial advance and I may promise our co-operation in working it.

The Montagu-Chelmsford Reforms were accepted by the Liberals, by the Mahrattas and other allied communities and by my Muhammadan friends, and they have worked these Reforms to a certain extent satisfactorily in the Presidency of Bombay. I do not lay much stress upon the words that are used in drafting any constitution, but I attach great importance to the spirit with which the constitution is worked, and I may say that the spirit in which the constitution of 1920 was worked was very good in the beginning and for a few years after 1924, but during the remaining period the spirit was not very conducive to harmony, and friction arose; and that was the reason why dyarchy was declared to be a failure.

I trust, Sir, that the spirit behind these Reforms will be very cordial, and both England and India will work these Reforms with unanimity and with an idea of advancing India on the path of self-government as a full-fledged Dominion forming part of the British Commonwealth of Nations.

I regret to note, from the declaration which has been read, that the Hindus and Mussalmans have not come to an understanding on the minorities question. As far as my Presidency is concerned we have got a very good understanding with the Muhammadans; the Government of Bombay have recommended separate electorates for them, and, by a resolution of the people I represent, the same principle has been approved. Personally, I have never asked for separate electorates for my communities; I am happy to be in the

[illegible] Colonel Haksar that he need not include me among those whom he had in mind when he referred to constitutional purists. I realise only too well that all these are matters dealt with by imperfect men in an imperfect manner. But, Sir, if the imperfections so overshadow the good points and to obscure them, then I think we shall not be held guilty of purism if we express our dissatisfaction. The responsibility is to both Houses of the Legislature composed in very large part of members nominated by the ruling Princes, and even that responsibility is further limited by the fact that it requires the vote of a two-thirds majority of a joint session of the two Houses for the removal of the Ministry. I shall congratulate those who will be in charge of no-confidence motions in the future Legislature on the rare occasions when they may [illegible] of similar intervention succeed in getting that two-thirds majority. I should like to know the self-governing country in the world where responsibility is expressed in this form. On this point, Mr. Prime Minister, I am bound to confess that I am dissatisfied with the report of the Federal Structure sub-Committee, and I do not contemplate that any section of Indian opinion will acquiesce in this.

Mr. Prime Minister, at this stage I do not want to take up the time of the Conference further; but I do not wish it to be understood that I sit down only with an expression of dissatisfaction. In order to avoid that impression I should like to say that I am impressed as much as any other member by the great work that has been done, and I look forward with hope and confidence that in the near future this work may be consummated and India shall be a contented member of a Commonwealth of free nations.

Sir Cowasji Jehangir: Sir, I think that His Majesty's Government, the two other great parties in this country, and the British public, are now convinced that there is no section of the public in India, whether they be Hindu, Muhammadan, Indian Christian, Sikh or Parsee, that is not firmly of the belief and opinion that a full measure of self-government is now due to India; and if that belief can only be realised in this country, we shall have done a great work.

Therefore personally I take this Report not word by word but in the spirit in which it has been drafted, the spirit which underlies it paragraph by paragraph. In drawing up a constitution of this kind you cannot have unanimity on every point; but, reading it impartially, nobody can come to any other conclusion than that the majority of those who served on this sub-Committee were determined in each point that they discussed that India should really get a full measure of self-government; and if that is the spirit in which all the Delegates are determined to work, whether they be Englishmen or Indians, this Report will find favour in India.

But, Sir, I have to make just one or two reservations. I am as determined as any Delegate here that we shall take back to India that full measure of self-government; but I find in this Report no

allusion to the question of franchise in the Central Government. You will find in this Franchise sub-Committee's Report that that was deliberately omitted, because the Franchise sub-Committee were not in a position, until this Report was presented, to be able to frame proposals for the Central Government. Therefore I personally do not know where we stand with regard to the franchise. Sir, I am one of those who are of opinion that, while demanding a full measure of self-government, it is our duty to see that those who will exercise influence and power will be men of a class who will do so with a sense of responsibility.

A Member: Oligarchy.

Sir Cowasji Jehangir: And therefore I attach such great importance to this question of franchise, and I would have liked to have seen a paragraph or two added to this Report with regard to this important question. I trust, Mr Prime Minister, you will see that this important aspect is not entirely neglected before we leave the shores of England.

Now coming, Sir, to the reservations that have been enumerated in this Report, about the transfer of finance, I must admit I am not very clear in my mind as to what is meant. It would be out of place to go into details about these paragraphs, because you have stated that our opportunity will come this afternoon; but I would draw the attention of the framers of these—

Chairman: I must warn speakers that if they take an opportunity now to refer to any detail, I shall not call upon them when that detail is specifically before the Conference.

Sir Cowasji Jehangir: Yes; and therefore, Sir, I am not going to refer to the financial safeguards. All I say is that they have created in India some apprehensions, and that when coming to details we trust we shall get from the framers of those paragraphs a clear idea as to what they intended.

With these remarks, Sir, I give my support, for whatever it is worth, generally to this Report.

H.H. The Maharaja of Kashmir: Mr. Chairman, when I last had the honour of speaking, this Conference was about to commence its gigantic and momentous task. To-day we are reviewing the work done during the last nine weeks and are more or less in the final stages of our deliberations. It gives me very genuine pleasure to see that, in spite of the complexity of the problem, a remarkable measure of agreement has been achieved, which I earnestly hope and trust will succeed in restoring peace and contentment to India at an early date, and promote the unity and progress of our Motherland which is so dear to our hearts and of which we are justly so proud.

Two years ago, speaking at a meeting of the Chamber of Princes, I said, with regard to certain activities in British India, that, in my view, Federation was a higher ideal than isolation. I need not, therefore, say how deeply gratified I feel at the progress which has been made with the scheme of an All-India Federation as worked out in the Report of the Federal Structure sub-Committee. I should not have considered it necessary to refer to my earlier view, but ever since the idea of Federation was taken up in this Conference, some surprise has been expressed in various quarters in India and in England at the willingness of the Princes to join an All-India Federation. It is said that the Princes have forced the pace and that in any case they should have evolved a Federation of their own before they decided to agree to any Federation with British India. Others, rather uncharitably, attribute unworthy motives to the readiness with which we have grasped the idea of an All-India Federation. I do not propose to deal with such insinuations or apprehensions to-day, for they seem to me petty and unworthy of notice. I have never disguised from my friends my warm support of the idea of an All-India Federation. To me the scheme has manifold advantages, of which I will enumerate just a few.

A Federation of over 300 million people must be an immense force towards the maintenance of world peace. It must be necessarily conducive to the glory and strength of the British Empire, and this alone, in view of our relationship with the Crown, cannot but be a matter of special gratification to us.

To British India, Federation ensures unity of our country and prevents the hopeless splitting up of our Motherland into two distinct political entities working in water-tight compartments. To the peoples and governments of our States, Federation must make a very particular appeal, as it ensures to us that voice in matters of common concern which we have been working for, for a long time, and in the absence of which the fiscal and economic interests and development of our States and of our people have been seriously jeopardised.

In regard to these matters of common concern, Federation ensures to us the advantage of a continuity of policy which is lacking under the present system, and which we should also desire to secure for other matters relating to the Princes and States not covered by the Federation Scheme. To my mind there is to-day no alternative to Federation as a policy for India, and in according my warmest support to the scheme of Federation before us, I am inspired by the hope that we are laying the foundation of a future for our country more truly in accord with its genius and traditions, with greater potentialities for future development than is possible under any other scheme that we can think of to-day.

In saying so I am not unaware of the fact that the scheme before us has a great many ragged edges. Several details, and some very important ones too, have not yet been worked out. It would be premature to anticipate them and to gauge how they would affect our rights and interests. If I were inclined to adopt a cold and

which it indicates towards the goal which we know is so dear to the hearts of Indians. We had expected that by this time the Report of the Minorities sub-Committee would have been before us, for it would have made our approval so very much easier. In that Report I had hoped to find a paragraph indicating clearly the position which my community might expect to occupy under the future constitution. I had hoped for a fuller reference than appears in the draft, though not a reference which would have included any points to which I believe there would have been any opposition.

The declarations made at the opening of the Conference were so friendly, and met so completely the desires we have to work on a footing of equal treatment with those who may more properly call themselves Indians, that I do not think there would be difficulty in getting that declaration, which would have made it, as I say, easier for us to give our unconditional approval to these suggestions.

It will be recognised, if anyone remembers at all what I said at the beginning of the Conference about the doubt of my community in regard to responsible government at the Centre, that it would have been so much easier for us had we been able to show that our forward move, owing to Federation, had left us with all the safeguards for which my community look, and I do think that if we could get some clear expression of opinion by this Conference, giving expression to the goodwill to which I have already referred, it would have an excellent effect not only on my community in India, but on the public at home.

Unfortunately, the Minorities sub-Committee have not come to an end of their labours, although I should like to say, speaking as a simple boxwallah, that I had hoped that perhaps those who will probably have a permanent majority at the Centre would have thought it good business to give away a few seats in the Provinces in order to make it possible for this constitution to materialise and to enable us to make such a strong forward move as is now suggested.

As it is, therefore, while expressing our fullest sympathy with this Report and our earnest hope that it will be adopted, our approval must be subject to our position being made quite clear and to the admission that in the future full safeguards will be provided for our civil and communal rights, our educational privileges and our industrial and commercial position.

With that, we welcome the Report most cordially. It transfers control in a very large measure to Indian hands, and we welcome that. We have confidence that those responsible for the new administration, provided the efficiency of the services with which they have to work is not lowered beyond the present standard, will most fully justify the forward move recommended in this Report.

Sir Tej Bahadur Sapru: Mr. Prime Minister, when this morning the Lord Chancellor introduced the Report of the sub-Committee which we are considering, he said that the seed, Sir, was sown by you. We readily acknowledge that, and we recognise that you have, during all these nine weeks that we have been working, been

anxious and solicitous that the work which we have been doing in the Federal Structure sub-Committee should bear fruit. Well, if I may be permitted at the very outset to say one word, I would say that such a measure of success as we have been able to achieve has been in no small degree due to the wise guidance, to the sympathetic attitude and to the broad statesmanlike outlook of the Lord Chancellor, with whom it was our privilege to work during these nine weeks.

Sir, when we undertook the journey which was prescribed for us nine weeks ago, the question of a choice of roads at once confronted us, and we deliberately decided to choose the shortest and the surest road. That road was no other than the road of an All-India Federation.

Everyone of us was, has been, and is anxious that we should have responsibility at the Centre. So far as that general principle is concerned I can claim for the sub-Committee that we have been able to achieve success. It may be that the responsibility which we have been able to recommend at the Centre does not come up to the standard which some people would prescribe for themselves, but I would earnestly beg the House to remember that the problem which we had to consider was one of immense difficulty and in some respects of an unparalleled character. It was no other than this, that we were called upon to absorb in a constitution which we were trying to frame not only British India but the Indian States, and for that reason we had to adjust our ideas.

If an attempt has been made in the course of the Report to prescribe a certain formula for securing the stability of the Executive Government, I do not think—and I say so with confidence—that we are singular in this respect. A careful study of the post-war constitutions will show that, notwithstanding the anxiety of several of the States in Europe to establish responsible Government, they have not overlooked the urgent necessity of securing stability at the Centre. It may be that they do not altogether conform to the old democratic standard, but when we remember that we had to bring in the Indian States, and that we had to prescribe a constitution which would work without those interruptions which are inevitable at the commencement of a great political era, it was inevitable that we should also think of some formula for ensuring stability.

Now, the sub-Committee does not recommend absolutely that there shall be a minimum majority of two-thirds. The underlying principle of the recommendation is that no Government shall be thrown out by a bare majority. All the questions of detail are open to discussion, and my Lord Chancellor has pointed out, if I may respectfully say so, very properly pointed out, that there is a great deal, in the elucidation of these matters, which Indian patriotism, Indian knowledge, Indian wisdom can contribute in the months ahead; and that seems to me to be the most hopeful feature of the Report, because there is a large section of the opinion which is not represented at this Conference, and I do certainly think that it is only fair that on important details, the broad question of prin-

ciple having been settled, every opportunity should be given to Indian opinion to express itself.

Mr. Prime Minister, and my Lord Chancellor, what I would say is this, that if you just put aside the minor points of difference I venture to say that on the broad question of principle a very substantial measure of agreement has been arrived at. And let us not overstate—I do not, on my part, wish to underrate—the importance of the safeguards. I will only say one word with regard to the safeguards. It has been generally felt by nearly every section of the sub-Committee throughout the proceedings that, having regard to the peculiar conditions of India, and certainly during the period of transition, it would be necessary to invest the Governor-General with certain special powers to meet cases of grave emergency. We have done nothing more than that. In the sub-Committee itself, if I may venture to point out, I drew a distinction between the ordinary power of making Ordinances and the very special power of dealing with grave cases of emergency imperilling the safety of the country. That fact has been brought out very prominently in the Report itself. As regards the safeguards about finance, what I will say, and I say so confidently, is that in regard to external loans the position that has been assigned to India is not lower than that of any of the Dominions at the present moment under the Statutes of Parliament. I have taken care to examine, if I may respectfully say so, every single statute from 1877 up to the present time relating to the position of the Dominions in regard to external loans, and I feel satisfied that the position that has been assigned to us is not lower than that.

As regards currency and exchange, all that I understand the position to be is that we shall have the control of currency and exchange as soon as the Reserve Bank comes into existence, and I am one of those men who have advocated, and who hold very strongly, that there is no reason why we should not all combine to bring into existence at the earliest possible opportunity this Reserve Bank so that that safeguard, which is resented in some quarters, may automatically expire.

As regards the other safeguards, I ventured to point out yesterday that they need not frighten us, for the simple reason that they have taken no definite shape either in regard to the Budget or in regard to any other matter. There is a general recommendation. Therefore, speaking for myself—and I speak only for myself, I do not wish to commit any party, as I belong to no party—I do say that none of these recommendations in regard to finance is of such a character that we need sacrifice or that we are called upon to sacrifice the broad principle of responsibility for the sake of those safeguards.

I will now venture to pass on to another matter. As regards the Legislature, there is a recommendation with regard to the numbers. That is open to further discussion. Similarly, if the constitution recommends a joint Session of the two Houses, that is nothing new. That is to be found in every constitution of the Dominions. What

has remained to be considered. It has been pointed out, and very rightly pointed out, that the basis of the franchise is not adult franchise. May I respectfully point out that when adult franchise was adopted by a Committee in its Report, to which I was a party, we were attacked by some very important people in India as being a little too hasty; but the main reason why the Nehru Committee Report adopted adult franchise was that we were given to understand that through it lay the solution of the Hindu-Muhammadan problem. That Report, I regret to say, was not accepted a little later by certain communities in India; and now, when you bear in mind the recommendation of the Franchise sub-Committee appointed by this Conference, the whole idea of the adult franchise has been kept in the forefront; we have got to work up to it. Whether we shall work up to it within five years, or ten years, or fifteen years, or twenty years, is a question which only time can answer. But I still maintain that you will find numbers of constitutions in Europe and elsewhere which have been working quite democratically, although they have not adopted adult franchise; and I venture to ask you, Mr. Prime Minister, to tell us, when did you in England adopt adult franchise as the basis of representation? How long ago is it that you adopted it?

I now come to the last question. There are many of us who have been earnestly applying ourselves to the solution of the unfortunate communal problem which has been confronting us these many weeks. It is true that right up to the moment we have not arrived at a final solution. My friends the Muhammadans on the other side have entered a caveat to-day; it is that they will not accept any constitution unless their interests are—I am using their very words—effectively safeguarded. Let me say, again speaking for myself, that so far as the demand for the effective safeguarding of the minorities or the Depressed Classes, or of any particular class, is concerned I am and have been in the fullest sympathy; and I do believe and it has been an article of faith with me that no constitution has any chance of success in India unless the minorities are fully satisfied that they have got a position of honourable safety in the new Commonwealth which we are seeking to establish.

There is, however, one word of warning which I will venture to utter in this connection. Let nobody go away with the impression that the whole of India has adopted the attitude which unfortunately confronts us at the present moment here. If I know my country, and I claim to know it, I do maintain that there are millions upon millions of Hindus and Muhammadans who are anxious that there should be an honourable settlement of this question; and I also venture to think that, howsoever troublesome may be the position to-day, the heart of the youth of India on this question is absolutely sound. Well, the question has got to be solved, it must be solved in the larger interests of the country. If territorial patriotism is to grow in the country—it may be that we may still adopt illogical methods of bringing into existence that patriotism—but it has got to be brought into existence, and I have not the least doubt that those of us who may fail India at this junc-

you will not have the thanks or the gratitude of the millions of men in the country.

I still think, Mr. Prime Minister, there is time enough for us to arrive at a settlement, so that we may be able to show to the world that, however much we may be divided on these small issues, or great issues if you like to call them so, there is still sound common sense among us, and that when the interests of the country are concerned, we are prepared to make any sacrifices of our prejudices or predilections. I will therefore make an earnest appeal to every one of my countrymen round these tables to see that before we go back, before we meet to-morrow, we are in a position to say that we have been able to arrive at a settlement which satisfies the minorities and the Depressed Classes.

I will, therefore, only say, Sir, that so far as the basic principles of the Report are concerned, they are thoroughly sound, and, believing as I do, that nothing is final in politics, there is but little room for discouragement or despair at the present moment. Every constitution has grown and expanded; even the most rigid of constitutions have grown and expanded by experience, by convention and by the goodwill that has been brought to bear upon the working of those constitutions. Well, if the constitution which we have recommended is not ideally democratic, it certainly secures the establishment of responsible government in the country, and there is nothing in the world to prevent us from working it in the truest democratic spirit, if we are determined to do so. I have therefore no hesitation and no compunction in supporting the Report which has been presented to you by the Lord Chancellor.

H.H. The Maharaja of Bikaner: Mr. Prime Minister, the general attitude and the views of the Indian States have been so fully and clearly expressed by my friends Their Highnesses the Nawab of Bhopal and the Maharaja of Kashmir that there is no necessity for me to dwell upon them at any length to-day, or to go into any details. I rise chiefly to support most warmly the scheme of Federation which we have evolved, and, on behalf of myself, my government and my subjects, to express our absolute and willing consent to enter into this Federation if, as we are confident, the remaining details, some of which are important, are settled as satisfactorily as the details contained in our Report. Subject to these conditions, and the necessary safeguards for the existence and the protection of the rights and sovereignty and internal autonomy of the States, I personally have no doubt whatsoever that a great majority of the States will equally willingly join the Federation.

I wish to emphasise that the States have no desire to dominate, or to exercise any undue influence, or to claim any undue rights; but they do claim the rights of coming in honourably as co-equal partners in the Federation, and thus to maintain their position, and their honourable position, as allies and friends of the Crown; and they could not be expected, I ask everybody to realise, to accept

any position implying the subordination of one federal unit to another federal unit.

I contend also that there must necessarily be anomalies in any scheme of Federation that we may evolve for India; that is inevitable, not only because of the position of the States, unique and unparalleled in history, but because also of the various complexities which face us in India, and particularly of the Federation of States possessing sovereign powers and of British India and its Provinces. But, not merely as a Prince, but as a son of the soil, I have no hesitation in saying that we have attained a remarkable degree of common agreement, and I maintain and submit to all that we have achieved a great deal for our country. These substantial gains must not be lost.

I wish further to emphasise that it is not a matter of surprise that there has been some disagreement, but it is a matter of surprise, and of pleasant surprise, that we have achieved such a measure of common agreement. May I take this opportunity of thanking my brothers of British India, with whom we of the States have on this memorable occasion been brought into such particularly close contact, for the great sympathy and appreciation of the States' viewpoint which they have expressed here and in the sub-Committees and elsewhere, and for the graceful references which they have made to our desire sincerely to co-operate and contribute what lies in our power?

In this connection may we also thank the Prime Minister, Lord Reading, and other members of the great political parties in England for their generous recognition of our sincere attempts to help them?

I would not presume or venture to say anything which might be taken in the least as a criticism of any party or individual present here, but may I with all humility and sincerity say that it makes me, as an Indian, hang my head in shame that, in spite of the great issues involved, we have not yet come to a sensible agreement on the minorities question? I attribute no blame to anyone in regard to communal questions; but may I, on behalf of the States, take this opportunity of making a most earnest appeal, and expressing the confident hope, that the communal question, particularly with respect to the great Muhammadan community, may yet be satisfactorily settled with due safeguards for the reasonable claims and rights of all minorities, important or otherwise? I would venture respectfully to cite the example set by the non-official Europeans and voiced in particular to-day by my friend Sir Hubert Carr.

There was a question raised to-day by my friend, Diwan Bahadur Ramachandra Rao, which does not and cannot come within the purview of this Conference, since matters relating to the Indian States and their subjects are matters which naturally concern the Rulers, Governments, and the people of the States concerned; but may I, in order to make the position of the Rulers clear, ask for permission to make a few brief observations, and be forgiven if I also make a little reference of a personal nature as regards my

State, my Government, and myself? I think, whether we view this question from the Eastern or from the Western standpoint, the duty of a good Ruler, whether he be a constitutional monarch or an autocrat—and may I say that we are not the terrible autocrats some of us have been painted in certain quarters—the duty of a good Ruler viewed from any standpoint is not only to be the servant of his people but to be their protector and to safeguard to them all the rights and liberties that are due to them, just as it is the duty of a Ruler to safeguard the corresponding rights of the State.

I am treading on rather dangerous ground, or, to use a term with which I am more familiar as a sportsman, skating on thin ice, when I say that the sooner any bad Ruler, be he in the East or in the West, is eliminated the better for all concerned. But when all that has been said and done, and when people who have intimate experience of the working of the States, some modern, some old-fashioned, each possessing different standards of Government, different stages of political advancement, I do not believe—and I speak from very intimate personal knowledge of other States—that there are really in India anything like the number of bad Rulers that we have had depicted to us in false pictures. However, I would remind all concerned that I had the privilege a couple of years ago or so of moving a resolution in the Chamber of Princes, I think shortly after I declined to stand again for the Chancellorship, which was unanimously accepted by the whole Chamber of Princes, in regard to those very essential matters affecting our subjects and good government. I believe I am justified in saying that the matter is not only under the consideration of many States, but that the picture, if it could be really visualised, and if we could get hold of facts and figures, would be in every way reassuring.

Here may I venture to say that in my own State the fundamental rights of our subjects have not only been protected but have been publicly declared by me on various occasions. For instance, in a speech which I made in my Legislative Assembly on the 20th January, 1928, as also at the Administrative Conference on the 3rd October, 1929. For this purpose, I would invite the attention of anyone who is interested to a pamphlet of my speeches which I have had printed and circulated, not only to the members of this Conference, but also to other friends. I would merely say that in Bikaner since 1902, we have had a strict Civil List for the Ruler of the State and members of the Royal Family, a state of affairs which I challenge anyone who likes to look into the question formally to come and examine both the accounts of my State and the working arrangement. In addition, we have *habeas corpus* and declarations with regard to the reign of law and order, freedom of the people, protection of life and property, and an independent judiciary separated from the Executive, and stability of public service, and such important matters. Not only have there been declarations of policy, but those declarations are really worked upon in practice. I challenge again anyone to refute that in a reasonable way.

I say that paragraphs 2 and 6 are important paragraphs in the Report because, as those who have studied this Report must have observed, the Report proceeds on three important principles, the first of which is that agreement has been arrived at on general principles embodied in the Report. The second is that this agreement, as this paragraph says, is provisional, and when the complete picture is presented to us, then, as Lord Reading made clear in the sub-Committee, it will be open to all members to modify or change any provisional assent they may have given. That is the second important principle of this Report which has made general concurrence possible. The third, and perhaps the most important principle, is the one which is contained in paragraph 6, namely, that all important details have not been concluded, but that there is going to be a further investigation of them, and that further investigation is left open to be carried on with the aid and assistance of public opinion both in India and in England.

I will take the liberty of saying, Sir, if the Lord Chancellor will permit me, that it is mainly due to his skill, ingenuity and sympathetic way of dealing with our difficulties, of which these two paragraphs are an index, that it was possible to obtain general concurrence; and I wish to congratulate the Lord Chancellor for the able way in which he handled the affairs of the sub-Committee.

I am very pleased to find, therefore, that in paragraph 6 the door is left open so that all details which are of a controversial character, and on which it is possible to have more than one view, may form the subject of further investigation with the aid of public opinion and with the experience and the wisdom to be found both in England and India which are not available at this Conference. All such further investigation is still to be carried on, and I note one hopeful feature at the bottom of paragraph 2, for I find that even the representatives of the Conservative Party, who have not yet committed themselves to full concurrence with this Report, promise us something, for if you will note the last two sentences in paragraph 2 you will find that they have promised us their readiness to co-operate with sympathetic and unprejudiced minds in this further investigation. That is a very hopeful sign, Sir, and it is for this reason—though I speak for myself and not for any Party—that I give my complete support to the general principles of this Report and draw the attention of this Conference to the few important features to which I have just referred.

When we come to the detailed paragraphs, Sir, I shall have just a few differences of view to express. Part of these differences have been referred to in paragraph 2 in the last few lines: "Upon the question of finance, Indian opinion was that even the safeguards set out in the Report went too far, especially those giving special powers to the Governor-General." Those safeguards, Sir, are contained in paragraph 18, and I shall ask for your permission when that paragraph is reached to state my differences, which are only on a few points.

Another difference of opinion on my part is with reference to paragraph 11, namely as regards Defence, and there again I shall ask your permission to deal with those differences when that paragraph is reached.

Mr. Jinnah: All I have to say with regard to these paragraphs refers to the passage which says that there is also to be a provisional list which is reproduced in the Appendix referred to in para. 7 of the Report. I want it to be noted that I am not satisfied with that provisional list, and I reserve my opinion on the subject.

That is all I have to say with regard to these paragraphs, but before I sit down I should not like to miss the opportunity of expressing my warmest thanks to the Lord Chancellor who, throughout our deliberations, showed us the greatest courtesy and the greatest consideration. If any success has been achieved, then I am not exaggerating—and I am not in the habit of flattering—when I say it is to a very great extent indeed due to his abilities and his impartiality as Chairman and to the courtesy that he showed to everybody.

Chairman: Then paras. 1 to 6 are noted.

Para. 7. Noted.

Para. 8, responsibility of the Executive. Noted.

Para. 9, method of providing for this. Noted.

Para. 10, definition of responsibility. Noted.

Para. 11?

Mr. Jadhav: I merely wish to repeat a remark which I made in the Federal Structure sub-Committee, Sir. Although I am agreeable that some parts of Defence and External Relations should be reserved during a temporary period, I desire that a further enquiry be made with the object of ascertaining whether there are not parts of what is called Defence and of External Relations which are capable of being transferred immediately. The word "Defence" is a very wide word, and while it includes many military questions like the use and mobilization of troops and their technical equipment, it embraces many other departments like volunteer organisation, the territorial force and Indianisation, which are not purely military. I do not think it is the intention of this Conference that all these important questions, which are not tied up closely with military aspects of the Army, should be held up as reserve subjects during the period of transition. I am therefore submitting that when we go far enough a scheme should be prepared or a further investigation should take place with a view to ascertain whether there are not topics or questions included under "Defence and External Relations" which can be easily transferred without in any way impairing (I am very anxious that this should not be done) the safety and tranquillity of the country. That is the reservation. What these questions are I detailed in

my speech, which is available, I hope, for further investigation. I made it clear. I do not wish to tire this Committee by mentioning all these details. The Lord Chancellor is aware that I raised all these points.

Lord Sankey: Yes, I am quite aware of that.

Mr. Jayakar: And as regards external relations I desire that it should be further investigated whether certain questions coming under this category should remain within the power of the Governor-General. I made this also clear in my speech before the sub-Committee.

Sir Tej Bahadur Sapru: With that reservation I am in complete sympathy, Mr. Jayakar.

Mr. Basu: I associate myself also with Mr. Jayakar.

Mr. Jayakar: I think that during the period of transition there should be a Minister for External Relations, including the Indian States.

Mr. Jinnah: Sir, I want to make it clear that under this paragraph what I understand is that when you say that the Governor-General shall be responsible for Defence, as far as I am concerned it will only mean that so far as the control of the military is concerned it will rest with him, but there will be many other questions which will come under the word Defence, such as the question of Indianisation, the question of the reconstitution or re-organisation of the Army, the question of the financial adjustments that may have to be made, the question of the use of the troops, questions with regard to the policy and legislation which may relate to Defence. All those questions cannot be taken away from the purview of the Legislature. To what extent what is covered by this general word "Defence" will be distributed between the different bodies which are contemplated in the constitution, such as the Cabinet, the Legislature and the Crown, is a matter which will require a definite scheme to be framed, and a scheme which will enable these different authorities to co-ordinate for these various purposes. That is all I have to say with regard to this paragraph.

Mr. Basu: There is only one point which I desire to add, as regards External Relations.

Chairman: I thought you had finished.

Mr. Basu: As a matter of fact, Mr. Prime Minister, you were pointing to the other side, and I thought you wanted someone else to speak.

Chairman : It is my mistake; I am so sorry.

Mr. Basu : As regards the Trade Commissioners, they may be said to be included in the appointment of Consuls and Representatives, but they are so vitally connected with the question of the advancement of India's trade, particularly in countries close to India, like Persia and the Eastern States, and also the States in the Indian Peninsula, that it is necessary that they should be under the control of the Government of India as newly constituted, and should not form part of the Foreign Relations. That distinction should be made, because already these Trade Commissioners are attached to the Consuls' offices, and if these are under the Viceroy and not under the Government of India, the question of the Trade Commissioners will be very difficult.

Mr. Chintamani : In continuation of what I said this morning, I desire to mention only one point at the present moment. An endeavour should be made, in my opinion, to specify the duration of this period of transition. It should not last too long. Of course it cannot be too brief.

H.H. The Maharaja of Bikaner : I just want to say one word to make the position of the States clear. Whatever the future may have in store, and whatever the States may desire in the light of the working of the Federal system and I hope there will be further developments satisfactory to all, the Empire, British India and the States—we have made it clear in the past that our relations and our Treaties and engagements are with the Crown, and that they cannot be transferred to a third party without our consent; and therefore all questions such as those of the States, including those of paramountcy and such other allied matters as we have already taken up with His Majesty's Government and the Viceroy, should not only be reserved as Crown subjects, but should remain with the Viceroy under due safeguards.

Sir Akbar Hydari : Therefore I have said that during the period of transition this paragraph 11, which says "during a period of transition," has to be taken up so far as the relations with the Indian States are concerned.

H.H. The Maharaja of Bikaner : Will not that be covered by the point I have just made?

Sir Akbar Hydari : Yes, that is what I wanted to point out.

Chairman : That is noted. As I have said before, everything you say now is being noted. It will come under the notice and examination of those who will have to go through all these Reports again and see how far they can be co-ordinated and how far they can be improved. That is the point.

Lord Reading: Mr. Prime Minister, I should like to be clear about this, because when you say that these observations are noted, many of us who may have different opinions are not speaking upon it, but it must be understood. I want to say it for myself, without taking part in the debate and dealing with any of the questions that have been raised, that I desire it to be recorded that I adhere to what I have said. There are matters which are reserved for discussion, but observations have tended somewhat against views already expressed, and although I am not going into them, I hope it will be understood that I am not receding in any way from what has already been said.

Chairman: Nothing that another person can say can unsay what a party has said before.

Lord Reading: No, but it must not be so taken.

Chairman: That will be quite clearly understood.

Mr. Gavin Jones: The tendency of the discussion recently has been to divide authority on the question of defence. Now, we think it very important that defence should be under one control, and that the whole of the Federal forces should be under the control of the Commander-in-Chief, and that the Commander-in-Chief should be responsible to no one else but the Viceroy, and anything that is taken into consideration afterwards in regard to this matter must refer to the fact of the unification of defence. Questions as regards Indianisation will, of course, come before the Legislature, but the Legislature should not have control: the final control must be with the Viceroy.

Chairman: I understand that there was a pretty full explanation of that in the sub-Committee, and the sub-Committee Reports are all available for examination. No. 11 is noted.

Now, No. 12.

Dr. Moonje: I agree with what my friend Mr. Jayakar and my friend Mr. Jinnah have said as regards defence, but I make my reservation in this respect, that as to the Minister in charge of Defence and Foreign Relations, power has been given in this draft that the Viceroy may select whom he pleases. My position is, that, the Minister of course not being responsible to the Legislature, but to the Viceroy, the Minister must be an elected member of the Legislature during the transitional period. My point is that this transitional period is also to be utilised for the purpose of training Indians in the matter of the control of the Army and in the matter of the administration of Army affairs. It is for this reason that I propose and insist that the Minister whom the Viceroy may choose according to his pleasure should be an Indian elected member of the Legislature, so that during the transitional period he will be

Dr. Moonje: He has got his right to preside, and when he exercises his right, he will certainly preside in day to day administration. I desire that under ordinary circumstances he should not have the complete right to preside. It is only in emergencies, in very extraordinary circumstances, that he should exercise his right.

Diwan Bahadur Ramachandra Rao: Sir, I should like to say a word in connection with this one sentence, that the budget allotment would be settled upon a contract basis for a term of years.

Chairman: That is the next sentence; you are going faster than me; that encourages me to go on. 13 noted. 14?

Diwan Bahadur Ramachandra Rao: I trust that this contract as regards the allotment of a fixed amount for the Army would be entered into after discussion with the Indian Legislative Assembly. Otherwise, if the suggestion is that this contract should be entered into by the Executive Government only and without the knowledge of the Legislature, I think it is likely to lead to a great deal of confusion. I suggest, therefore, that before this contract is entered into for a term of years the question should be discussed. The matter must be discussed and the active consent of the Legislature should be obtained to place a certain sum of money for a certain number of years for the Army in the hands of the Viceroy.

Chairman: 14 noted. 15 noted. 16?

Mr. Jinnah: Sir, this paragraph deals with the Governor-General's special powers. Now, Sir, with regard to this I wish it to be noted that the Governor-General should not have any power to legislate by means of ordinances. The only power that should be given to the Governor-General which he can exercise should be intervention in the case of grave emergency which is likely to endanger the peace and tranquillity of the country. I agree to no other power in the Governor-General.

Mr. Jayakar: That is also my view, Sir, that the power should only be used in emergencies when the safety and tranquillity of the entire country is threatened.

Dr. Moonje: I agree with Mr. Jinnah and Mr. Jayakar.

Chairman: 16?

Dr. Ambedkar: Sir, before you proceed, I should like to make it plain that the power given to the Governor-General to intervene to avoid serious prejudice to the interests of any section of the population must remain. The power must be embodied in the constitution in the same form as under section 93 of the Canadian Constitution.

[illegible]: Sir, I agree with and support everything that [illegible] has said about the Governor-General having reserved power in such matters as he has mentioned.

Chairman: 16 noted. 17 noted. 18?

Mr. [illegible]: Sir, the point that I wish to be noted in this connection is that the only safeguard during the period of transition should be the Reserve Bank and nothing more. I submit that the Reserve Bank should be started as soon as possible. I am not in favour, Sir, of giving special powers to the Governor-General in the period of transition of controlling legislation which affects finance. I submit, Sir, that in finance there ought to be a complete transfer and perfect freedom. I quite see the desire that stability and safety should be introduced in matters of finance, especially in the direction of currency and exchange. I am sure, however, that the Legislature, as I have known them during my time, will exercise all their powers with great control, vigilance and self-restraint. I think we ought to stop there and give no special powers to the Governor-General in matters of finance.

As regards the Statutory Railway Authority, Sir, I do not know what that means, if it means the present Railway Board.

Mr. Modi: I am afraid I cannot support these recommendations. If there is one thing more than another on which Indian opinion is absolutely united, it is on the demand for fiscal and financial autonomy. I am sorry to have to say that the recommendations embodied in this paragraph are characterised by a spirit of hesitation and lack of confidence that ill go with the large-hearted and statesmanlike way in which the rest of the recommendations have been framed.

If you do not entrust full responsibility to the Finance Member of the new Government, then you absolutely cripple him at the start of his career. With all the safeguards which you have provided, I do not see why you want these particular powers in the hands of the Viceroy. What I want to submit to you is that while finance is a very important matter, the whole constitution may be brought to a standstill on various other matters and therefore, merely to make the Finance Member responsible, on the one hand, to the Legislature, and, on the other hand, to the Viceroy, while it creates a feature which is not in keeping with the rest of the structure, is not going to save India. I, therefore, feel strongly that these provisions ought not to be embodied as part of our recommendations. After all, the Finance Member will understand his responsibility, but he has to answer for his folly or miscalculations.

At the present moment, what is the position? If, for instance my child contracts the measles I immediately say that it is due to the iniquities of the Government, but when I cannot get on to a platform in the India of to-morrow and lay all the ills at the doors of Government, it will be a very different situation. I think it

will be a fatal blunder to criple the Finance Member by making him responsible both to the Viceroy and to the Legislature.

We are not here building up a system of government merely from the point of view that we want a safe and sound constitution; we are here to devise a system which we think would prove acceptable to the large body of sane opinion in the country. I do not say that anything we can do will satisfy certain sections in the country, but our object is to get a constitution which will be worked by the more reasonable elements, and I am pretty certain that if you have safeguard of this character in the financial affairs of India, that constitution will not prove acceptable and our labours will have been largely in vain.

Chairman: I made a mistake. I am going to put 18, 19 and 20 together because they all hang together.

Mr. Jinnah: With regard to 18, I do not agree, I am sorry to say, with Mr. Jayakar, not do I agree with the observations of Sir Tej Sapru when he appealed to us to accept this because these powers were only transitory powers, and that as soon as the Reserve Bank was established, then these powers would disappear.

Sir Tej Bahadur Sapru. I did not say anything of the sort.

Mr. Jinnah: You said you were in favour of the Reserve Bank being established as soon as possible, and that we should all put our heads together to see that it was established at once. One of the special powers given here will only continue until the Reserve Bank is established.

Mr. Jayakar: That is not my view.

Mr. Jinnah: I will not quote anyone.

Sir Tej Bahadur Sapru: I think that is the safest course.

Mr. Jinnah: I do not know what their position is exactly. However, I do not agree with any other opinion. My personal opinion is this. With regard to special provisions, it says: "It would therefore be necessary to reserve to the Governor-General in regard to budgetary arrangements and borrowing such essential powers as would enable him to intervene if methods are being pursued, which would, in his opinion, seriously prejudice the credit of India in the money markets of the world."

Now, Sir, here again it was said that this is no different from what will happen in the Dominions in the matter of raising loans. It is not so. Therefore I strongly object to this power being given to the Governor-General.

The next power which is given to the Governor-General is this, "with the same object again, provision should be made requiring

the Governor-General's previous sanction to the introduction of a bill to amend the paper currency or coinage Acts on the lines of Section 67 of the Government of India Act." I do not agree with this.

With regard to the Reserve Bank, it is not so easy as some members think here, that it may be brought into being within 24 hours or 24 months. The sub-Committee itself expressed grave doubts. This is what they said: "The sub-Committee recognise that it may be difficult in existing conditions to set up a Reserve Bank with sufficient strength and equipped with the necessary gold and sterling reserves immediately, and therefore until this has been done, some special provisions will be found necessary to secure to the Governor-General adequate control for the monetary policy and currency." Therefore this Report recommends that the control over the monetary policy and currency will remain with the Governor-General until the Reserve Bank is established. Now, Sir, I do not know when the Reserve Bank is going to be established. It may take five years or it may take ten years. I am not willing that any such power should be given to the Governor-General pending the establishment of this Reserve Bank.

There is one more word I want to say and then I have done. If you are going to put safeguards of this character, I say it is born of suspicion and distrust. If you are going to have a responsible ministry composed of 7 men, and if you are going to have the representatives of British India chosen as is contemplated in this Report and so on—it is true you have not definitely fixed the franchise, but I think I am right in saying that the general opinion was that the present franchise should not be disturbed—if you have this composite form of Executive and Legislature, and still you want to give these over-riding special powers to the Governor-General to interfere with the entire financial policy of the Government of India, I say that that is born of suspicion and mistrust.

Sir Phiroze Sethna: Mr. Prime Minister, however much I agree with Mr. Mody in what he has stated, that all India is insistent upon getting financial autonomy, not in name but in reality, I do not rise to oppose the paragraphs as it is drafted. I can quite understand the hesitation in the minds of the British Delegations and the reasons why they desire safeguards to be introduced; but, Sir, what I should like to point out is that these safeguards have not been very clearly defined. Perhaps the time has not yet arrived, and the time for the same will be when the Bill is drafted.

By that time we trust that the safeguards will be so whittled down that the Indian public will have no cause to complain. I will just refer to a few instances where I trust the Governor-General will not have the power to interfere.

There are at present sterling loans of the Government of India to the extent of from three to four hundred million pounds. Interest on them is at the rate of 5 per cent on an average, which means

fifteen to twenty million pounds of interest per annum paid by India. At the present moment India is not entitled to collect income tax on that amount of interest, which means a loss of more than two million pounds a year to India. That is not so in the case of the Dominions; the Dominions do collect income tax on amounts they pay as interest, but India loses the same. Therefore, if the future Government of India desires to levy income tax on that interest, I trust the Governor-General will not have the power to interfere.

To take another instance, if the future Government of India decided that income tax should be levied on agricultural incomes, which is not the case to-day, I trust the Governor-General will not have the power to refuse.

I will give you one more instance. This country groans under war debts payable to America. I believe on behalf of the Conservative Government Mr. Baldwin did ask the American Government to make a reduction of something like thirty per cent. in that amount. Similarly, if at any future date the Government of India think they might ask for a reduction on the hundred and fifty millions they have paid, again I hope the Governor-General will not have the power to interfere.

To return to the subject of the Reserve Bank, I do not agree with Mr. Jinnah that it is not possible to start a Reserve Bank within less than five years.

Mr. Jinnah: I never said that.

Sir Phiroze Sethna: I thought you said it could not be done in less than five years.

Mr. Jinnah: I said it might not be.

Sir Phiroze Sethna: In regard to that I would like to point out that all the spadework was done three years ago, and a Bill was introduced. Unfortunately it did not go through on account of just one point, as to whether some of the Directors might or might not be members of the Central Legislature. But, as I say, the spadework has been done, and consequently it would not take long to have a Reserve Bank for India if Government takes speedy action in that connection.

If that is done and if currency and exchange are placed under the Reserve Bank, I should like to know from the Lord Chancellor what is contemplated in this paragraph; whether the Reserve Bank will be under the control of the Legislature or whether the Governor-General will again have power to interfere. If he has it will be a serious matter. For instance, the Reserve Bank might decide to alter the rate of exchange. As you are aware, the Government of India have blundered in that matter most egregiously. In 1898 the exchange was fixed at sixteen pence. In 1920 it was 2s. and it

is now 1s. 6d. All India knows that this rate involves a loss of 12½ per cent. to the ryot, which runs into millions every year. India would like to change it. Sir George Schuster said recently at Calcutta that for the credit of India he could not possibly agree to any change, but if the Reserve Bank is of opinion that it should be changed in the interests of India, I trust the Governor-General will not have power to veto it. These are things which would require to be considered. Finally, whilst—I suppose to please the British Delegation in particular—it is proposed to introduce these safeguards, I think it would be very advisable to fix a time limit of five to seven years, after which, in the words of the Report itself, if "there is no doubt left as to the ability of India to maintain her financial stability and credit both at home and abroad" these safeguards should be [illegible] and finally removed.

Lord Reading: I cannot but think there is considerable misapprehension as to what is suggested in this paragraph, and indeed throughout, as to the financial safeguards, as they are termed, and in particular I do think Mr. Jinnah was a little carried away when he said that under this the entire financial control would be in the Governor-General.

Mr. Jinnah: I said he would have the right to intervene.

Lord Reading: I will not quarrel about words; sometimes in the heat of discussion words are used which go a little further than may be intended.

Mr. Jinnah: It is control in that sense.

Lord Reading: "Entire financial control" were the words used, but I do not attribute importance to them, particularly as I hope to make it plain that the financial control is really not intended to go to anything like the length suggested.

In the first place, I should point out to the Committee that the whole object of the financial safeguards suggested is not that we in this country can keep control over the finances of India; that is not the underlying suggestion at all. If I may say so, Sir Phiroze Sethna showed an appreciation of the position in some of the observations he made in the earlier part of his remarks to-day. What we are asking is to preserve the financial credit and stability of India so that when this important change is made India shall not suffer.

All that is being asked is—I may again direct the attention of the Committee to what is requested—is that first of all in regard to external loans there shall be security. I do not want to enter into that, because everybody is agreed, so far as I understand, that there should be the protection we wish on that, and everybody—or at least all the members of the sub-Committee—agreed in saying that these safeguards were necessary; and I think it was Sir T-

and all we are seeking is that during the period which must intervene before you set up a Reserve Bank—in my opinion it should be set up as speedily as possible—you should not interfere with exchange.

I have never suggested that the Reserve Bank should have the right of altering the rate of exchange. The object of the Reserve Bank is that it should manage the exchange and currency, not that it should do anything equivalent to the passing of a statute. Once you have got your Reserve Bank in operation, on non-political lines, it would be very much in the position of the Bank of England here, it would be an independent bank to which India could look to act merely in the interests of India and considering nothing else. Well, then, when once you have done that, of course it would be open, as I conceive it, to the Legislature to pass any Bill that it chose with regard to the rate of exchange. But you cannot do it with safety before the Reserve Bank is established. Indeed, I go further. If you were to attempt to do it until you have got your Reserve Bank in power, you would most seriously endanger the whole of the financial credit of India. I hope now that there will be no misunderstanding.*

Sir Cowasji Jehangir: I am sure we are very grateful to Lord Reading for his very clear explanation of this clause, paragraph 18. Evidently the whole of this paragraph has been wired out to India, and has created a considerable amount of apprehension in the minds of many and I trust that Lord Reading's explanation to-day will also find its way across the wires to my country. But, Sir, I am quite prepared to admit that if I had spoken before Lord Reading I should have been inclined to ask him several questions on paragraph 18. I am inclined now to ask for an explanation only in two directions at present. The wording, I am inclined to think, is so wide that there is scope for misunderstanding. I will just read it again, although it has been read so often: "It would therefore be necessary to reserve to the Governor-General in regard to budgetary arrangements and borrowing such essential powers as would enable him to intervene if methods were being pursued which would, in his opinion, seriously prejudice the credit of India in the money markets of the world." If one desired to be really very critical in reading these few lines, one could interpret them to mean that you wanted to give the Governor-General the power to interfere whenever internal loan was being raised by the Government of India. When is the Governor-General going to judge, and how is he going to judge? At every loan that is being raised? I think that these words require further explanation in the body of the Report. What I understand them to mean, after what Lord Reading has

* Lord Reading wishes it to be understood that these remarks were merely intended to explain to the Committee that it was not the function of a Reserve Bank to fix the rate, but that this was the function of the Legislature. He accepts the proposal made in paragraph 18 of the Report that [illegible] Bill [illegible] the Paper Currency or Coinage Acts.

said, is that the Governor-General will not have the power to interfere when the Government of India decides to raise any internal loan; he will only interfere if, after a series of loans have been raised, and after say four or five or six or seven years during the transitional period, unfortunately the finances have come to such a stage that our credit is really being ruined. He will interfere only in those circumstances.

Lord Reading: Would you allow me to answer that, Sir?

Chairman: Yes.

Lord Reading: My idea is this. I am only speaking for myself. That matter also has to be considered. Supposing an internal loan is being raised, no question would arise unless it is at a rate which will interfere with the credit and stability, when it is not necessary, when it is thought that it could be raised at a lower rate. That would be a matter that would have to be carefully watched. Obviously it must affect all other rates if you raise one at an excessive rate. Everybody with any experience of finance will agree. In that way the Governor-General would have to watch. I should imagine that once this constitution is in operation there would be discussions; the Governor-General would be told what it is intended to do, and presumably he would say, supposing he thought that a third or fourth loan was being raised at too high a rate, or that it was with the purpose to bolster up a budget which in point of fact is not being balanced—I do not mean for one year, but supposing there was a condition of things that led to the borrowing of money year after year for the purpose of balancing the budget instead of raising revenue as it should be raised in the ordinary course, well, the result would affect the financial credit and stability. It is not so much the fear that it will happen as that it is necessary to put in some provision in order that people should be satisfied that nothing of that kind will be done. As I have said before—I cannot say it more emphatically—this is solely with the desire of preserving the credit of India in India's own interest.

Sir Cowasji Jehangir: Yes, Sir. I fully understand the principle, but I am afraid the assumption is that the Government of India may raise a loan at a rate which would not be justified. Well in that case I think you could well leave it to public opinion in India, if that is the only explanation.

Mr. Jinnah: And the Legislature.

Sir Cowasji Jehangir: And the Legislature. I would remind Delegates that when loans were raised very lately in this country public opinion in India, rightly or wrongly, felt that a higher rate was paid than was necessary. Well, public opinion would assert itself in India more than any other part of the world. I venture to

apply to the context, surely we must understand how it does apply. I have shown that Section 67 was drafted under altogether different conditions. I want to know how it applied and why it was not amended. I have not understood it and I will leave it at that. It might require amendment. But I repeat that I fail to understand how that section could be quoted under the circumstances, unless it means something different from what is intended.

A Member: It would apply to non-official members.

Sir Cowasji Jehangir: If it applies to non-official members, I have no objection. If it is to be read exactly as it is written, I have no objection at all; but I know it cannot mean that, and therefore I think it requires further consideration before it is allowed to remain in this paragraph as it stands.

With these remarks I have nothing further to say, except that I generally agree that, not as defined by the paragraph, but as defined by Lord Reading just now, that interference is only meant to be exercised under critical conditions, I then consider that the paragraph ought to be acceptable; but it should, I most respectfully suggest, be redrafted before it is finally passed by the Plenary Session.

Chairman: 18 to 20 inclusive.

Mr. Jayakar: Sir, I want to say something on 19. You said I was not in order. Are you taking paragraph 19 now?

Chairman: Yes, 18 to 20 inclusive.

Mr. Jayakar: May I say a few words on 19 now?

Chairman: Yes.

Mr. Jayakar: With regard to 19, when this paragraph says: "In this connection the sub-Committee take note of the proposal that a statutory railway authority should be established and are of opinion that this should be done," I do not quite see what the statutory railway authority means. If the intention is to give a statutory basis to what is called the Railway Board at the present moment, I must my dissent from that proposal, Sir. I have already said that in my speech before the sub-Committee, but I just want to state briefly what my point is. There is at present a Railway Board established which has no statutory basis. If the intention is to give a trial period of continuance to that Board with perfect freedom to the Railway Minister to control that Board and to make arrangements with regard to its constitution, functions and powers, I have no objection to a further continuance of that Board; but if the proposal is to give a statutory basis to that Board, then you will kindly note my point of dissent on that.

Chairman: That is so. 21 noted. 22?

Sir Hubert Carr: May I ask whether the words "trade and commerce" are meant to include industry, trade and commerce?

Lord Sankey: Yes.

Chairman: 22 noted. 23 noted. Then the next section: "The Legislature. Structure and composition". 24 noted. 25?

Sir Manubhai Mehta: Sir, on paragraph 25 I am going to remark that the question of the power of the Indian States as to concurrent legislation has not been referred to. The Lord Chancellor will remember that this question was thoroughly discussed on behalf of the Indian States.

Lord Sankey: Yes, it was.

Sir Manubhai Mehta: You, Sir, know that the Indian States attach special importance to their internal autonomy and especially their power of passing legislation.

Lord Sankey: Yes, I quite understand.

Sir Manubhai Mehta: The schedule of federal subjects is a pretty large one, and if by this omission we are left free to conclude that the Indian States retain their power of concurrent legislation on these subjects, I have nothing to say; but on page 2 is a remark which makes me a little apprehensive. "They also put forward in paragraph 27 of the report the subjects upon which this Legislature should be empowered to pass laws having application throughout all units comprised in the Federation." If this applicability is to extend only to Provinces in British India, it would be quite right; but if it is also to extend to Indian States, I submit, Sir, that there should be, there is considerable margin, for Indian States sometimes to pass laws adapted to their local conditions.

I will give you one simple example. Take a negotiable instrument. The Negotiable Instruments Act gives a list of holidays on which banks are to be closed and no instrument can be negotiated. Suppose one of Their Highnesses added to the list of holidays his own birthday, would it be regarded as anything repugnant to the general law? Such powers of concurrent legislation are necessary only with this safeguard, that the special legislation of different States ought not to be repugnant to any general law passed by the Central Legislature. I think this reservation should have been provided for, as it was thoroughly discussed. The Indian States drew Their Lordships' attention to several sections of the German Constitution. Similar sections exist in almost all the Dominion laws. I find that they exist in the law of the Australian Commonwealth, they exist in the law of British North America, and they

exist in the law of the South African Union. I think similarly such provisions might exist in the new law of India. I think this is only a fair suggestion and that it would be adopted.

Lord Sankey: I quite agree with your point and I appreciate it. I do not think you need have any fear about it. We have specially put the words in, "shall be empowered to pass laws having application to all the units," and when we come to consider the particular way in which it will be applied your point will be carefully noted, and we will endeavour to do something to meet your anxiety.

Sir Manubhai Mehta: Very well; if it is noted.

Lord Sankey: Yes, it will certainly be noted, and I am very much obliged to you for raising it.

Chairman: 25 noted. 26.

Mr. Joshi: The sub-Committee proposes that the number of members composing the Upper Chamber should be from 100 to 150. I think this number is too small to secure representation of all interests which may be represented in the local Legislature. Even though we may agree that the Upper Chamber may be elected by the Provincial Legislatures, it is quite possible that certain interests will not find a sufficient number of representatives in the Lower Chamber to secure a representation in the Upper Chamber, and that could be prevented by raising the number from 100 or 150 to a much larger number. It is a wrong principle to try to secure efficiency by methods which will deprive certain interests of their entire representation in the Legislature.

Secondly, the Report states that the members of this Legislature should consist of people who have got great experience and character. I hope that certain tests of great experience and character may be laid down, because my own experience is that at present in India the Council of State consists of people who have either much money or property. If the test of experience or character is the possession of property or wealth then certainly your Upper Chamber will consist of representatives with only one interest. It is certainly a matter of surprise that there should be no people, weight, or character in other sections than those who possess wealth or property.

Mr. Jinnah: I reserve my opinion as to the method of election by single transferable vote.

Dewan Bahadur Ramachandra Rao: I should like to say one word with regard to the method of election of the Upper Chamber. I see it is stated here that the British Indian members of the Senate should be elected by the Provincial Legislatures, by the single transferable vote. Nothing is said with regard to the method of

election of the representatives of the Indian States. I would very respectfully suggest to Their Highnesses, who are members of this Conference, that they should send representatives to the Upper Chamber from the Legislatures in the States wherever they exist. I also hope that that suggestion may be adopted and incorporated in the statute which may be ultimately passed. I hope that when the new constitution is embodied in an Act of Parliament, the qualifications of members of the Upper House will be laid down in the Act itself. I find in some States, like Baroda, Hyderabad, Mysore, Bikaner, and so on, they have Legislatures, and it would only be fitting and proper that the representation in the Upper Chamber should come from the Legislatures wherever they exist, and in British India they will come from the Provincial Legislatures. I think it would be a very graceful act on the part of the rulers that some representation should be secured to their people

H.H. The Maharaja of Bikaner: I think, after the observations which I made earlier to-day it is not necessary for me to say very much. I would say that these are matters on which public opinion in our States will necessarily exercise a great deal of influence and these are matters which we shall naturally settle in accordance with the general views prevailing in our States, and accordingly the matter will be adjusted between our Governments and ourselves.

Chairman: Obviously there are a good many points covered by para. 26 which must be further considered. If you pass this it lays down the general principles.

Sir Abdul Qayum: Only one small observation. Whatever may be the result of any further investigations I think the qualification should be set out in the constitutional measure when it comes to be enacted.

Chairman: Yes, that will be noted. 26 noted. 27 noted. 28.

Mr. Jinnah: I cannot at present agree to the principle of weightage which is emphasised in this paragraph. I reserve my opinion on that question.

Mr. Joshi: I also reserve my opinion on this matter.

Chairman: 28 noted. 29.

Sir Abdul Qayum: I have a word to say on this. I should like my note of dissent to be recorded in connection with the last sentence of this paragraph. The population basis should not be the only criterion. I should prefer that the formula under 28, to which Mr. Jinnah has just objected, should be applied to 29 too, and that weightage should be given to politically important Provinces; the population basis should be omitted.

to direct election desire to point out that it is not a necessary consequence of a decision in this sense that the populations of the areas should elect their representatives directly ".

Whether they are elected directly or indirectly, I venture to think that if you are creating a popular House, a House in which popular representatives sit, it will be equally necessary to consider a scheme of popular representation for the States. Whatever that is will have to be done by the Rulers of the States in consultation with their own people, but I venture to suggest there will have to be some measure of popular representation.

Chairman : I do not know if any of my Parliamentary colleagues would like to make an observation on this, but it may be noted that experience in this country is that 300 is more than enough for the practical working of any legislative chamber.

H.H. The Aga Khan : I should like to accept the suggestion that it should be 350. In a huge country where there are three hundred and fifty million people surely it is not too much to assign to the legislature one man per million.

Sir Tej Bahadur Sapru : On that basis it works out at 300 if you leave Burma out.

H.H. The Aga Khan : You might allow it to increase as in Germany, where they have allowed it to increase automatically with the population; but at least it should be 300 or 350.

Mr. Jadhav : I agree with the Aga Khan and say the number should be 350.

Sir Hubert Carr : I propose the present number, *plus* the Indian States.

Sir Akbar Hydari : I agree.

H.H. The Maharaja of Bikaner : If the number is kept too low there may be difficulties about the smaller States, but I do not want to go into details.

Chairman : That will have to be considered later, but you must remember the size of a legislature determines, especially after a certain point, how effective the legislature is for doing its work.

Paragraph 30. Noted.

Paragraph 31. Noted.

Paragraph 32. Mr. Chintamani wishes to speak on this.

Mr. Chintamani : Sir, on this question of the method of election for the Lower Chamber, I have one observation to make with regard to the representation of the people of the Indian States. I have no

proposal to make for the near future, during what may be regarded as a transitory period. But I cannot possibly reconcile myself to a permanent position that the representation of one part of the Federation shall be by a method utterly different from the method of representation of the other part of the Federation. I have noted with all respect the observations made by His Highness the Maharaja of Bikaner, but I venture to think it would be the path of wisdom to provide that after the transitory period—you might fix any period you like—the representation of the States in the Lower House shall be by the same method as for the Provinces of British India.

H.H. The Maharaja of Bikaner: I have nothing to add to what we have said.

Sir Provash Chunder Mitter: Although I have no objection to indirect election, which is suggested by some of the members, I do object to the election being by the members of the Lower House only. If indirect election be adopted, it should be on a much wider scale than members of the Lower House only, and it is particularly objectionable because we find on page 10 that the Upper Chamber also will be elected by the Lower House. If, therefore, indirect election be adopted, it must be on a much wider scale than the limited number of members in the Lower House.

Mr. Joshi: I am of opinion that the Lower Chamber should not contain any nominated element, and in any case its value is considerably reduced if it contains such a large nominated element as 25 per cent.

Lt.-Col. Gidney: Where is that?

Mr. Joshi: It is quite true the Report makes no mention of how the representatives of the States are to be appointed, and I shall be very glad if the Report has not accepted, as I think perhaps it has not, the views of Their Highnesses which were made clear in the preliminary Report, namely that the State representatives will be a matter for the States themselves. The method of appointing the representatives of the States affects the value of the Federal Legislature; it is not, therefore, a matter in which only the States are concerned. We are also concerned, inasmuch as the value of our Legislature is either lowered or increased by the method by which the representatives of the States are appointed.

Chairman: Paragraph 32. Noted. Paragraph 33. Noted. Paragraph 34. I call on Colonel Gidney.

Lt.-Col. Gidney: I have one observation to make on this paragraph and I do so in conjunction with paragraph 29. Whereas in paragraph 29 a population ratio is to be adopted in estimating the representation of various communities in the Upper Chamber

in this paragraph 31 you use the word "possibly" which still further closes the door to minorities and special interests even to get a single representative in the Upper Chamber. I would suggest that the word "possibly" be deleted from this paragraph and the other words following, "and certainly in the Lower Chamber" be also deleted, so that the reconstructed paragraph will read: "provision should be made for the representation in both Chambers," however small this representation be. I think all minority communities have every entitlement to representation in the Upper House, however small it be.

Dr. Ambedkar: I associate myself with what Col. Gidney has said.

Begum Shah Nawaz: With your permission, Sir, while we would like to express our thanks to the Lord Chancellor and his Committee for their admirable Report, may I point out that the Federal Structure Committee has overlooked the claims of women and has not mentioned them in the lists of the special interests which they wish to see represented in both the Chambers of the Central Legislature. You are aware, Sir, that we raised this matter at the Minorities Committee and asked for the reservation of seats as a temporary measure. Therefore we propose that the words "and women" should be added after the word "labour".

Mr. Fazl-ul-Huq: Sir, with your leave I wish to ask the Lord Chancellor how it is that in the enumeration of various interests the Muslim community has been omitted.

Mr. Jayakar: Mark the words "Subject to the Report of the Minorities Committee."

Mr. Fazl-ul-Huq: I can understand commerce and labour being regarded as special interests and meriting a special mention, but, Sir, the Depressed Classes, Indian Christians, Europeans and Anglo-Indians are communities, composed of individuals as much as the Muhammadan community. Now, Sir, am I to take it that this was due to an inadvertence, or has the omission been intentional? Sir, all the minorities conceivable have been mentioned except the Mussalmans and the Sikhs, and I think that this omission has been singularly unfortunate, because it gives rise to the apprehension that these two communities, the Mussalmans and the Sikhs have completely gone out of recognition by those who drafted this resolution. Now, Sir, it is generally supposed, so far as the Mussalmans are concerned that they constitute 70 millions and can hardly be regarded as coming within the category of a minority.

Chairman: May I draw your attention to the fact, in order to save time, that this is subject to the Report of the Minorities Committee, and there are two minorities not mentioned—the Sikhs and Muslims.

Sir Phiroze Sethna: And the Parsee, Sir.

Chairman: I was going to say that the minorities mentioned are the minorities that up to now have not been able to look after themselves; and that quite obviously excludes the Parsees. But, you know, the intention is not to exclude anybody. The Minorities Committee deals with that.

Mr. Fazl-ul-Huq: As I was going to tell you, so far as the Mussalmans are concerned there is a misapprehension that they constitute 70 millions and therefore they can hardly be considered to come within the category of minorities. That reminds me of the adventurer in the story, who wanted—

Chairman: We will listen to a story, but not to an argument on that.

Mr. Fazl-ul-Huq: The story is part of the argument. Give me one minute, if you please.

Chairman: Because the question of minorities has not been dealt with primarily by this sub-Committee.

Mr. Fazl-ul-Huq: That applies to the Depressed Classes, that applies to the Indian Christians, that applies to the European community, that applies to the Anglo-Indians—

Chairman: This is only an imperfect record. The authoritative voice of sub-Committees on the minority question will come from the Minorities sub-Committee.

Mr. Fazl-ul-Huq: In this connection may I respectfully point out that the logical conclusion would be to mention the Muhammadans after commerce and labour.

Chairman: But the last thing that the Lord Chancellor and his Committee thought of was drafting this sentence in accordance with logic.

Mr. Fazl-ul-Huq: If there is an omission I should like to point it out.

Chairman: May I say that it is no omission at all, because the final word on this subject will come from the Minorities Committee and not from the Structure Committee.

Mr. Fazl-ul-Huq: Sir, does not that apply to the other communities that are mentioned?

Chairman: Possibly; but still, this is an imperfect sentence, and there is no use taking up time discussing it now, because that comes up under the Minorities sub-Committee.

Mr. Fazl-ul-Huq: Could we not make it perfect by supplying the necessary words? If you mention eight minorities, if that omission is allowed to remain, does it not convey the impression that it was in your mind to take note of the eight and have no regard for the other one? I respectfully submit that that is the impression created.

Chairman: I really must ask you to deal with the matter when the Minorities Committee's Report comes up.

Mr. Fazl-ul-Huq: So far as this Report is concerned I wish to record my respectful protest against the way this has been recorded, and I take it that this omission of the Mussalmans means that the Committee ignored entirely the Mussalman community.

Chairman: Really, that is not just to the sub-Committee.

Sardar Ujjal Singh: It was contemplated that by the indirect method which has been proposed for the Upper Chamber the Mussalmans from various Legislatures would come in, and so would the Sikhs, from the Provincial Legislatures, but, of course, not to the extent to which they desired it.

Chairman: As I say, the pronouncement that is to be made upon Minorities, is to be made by another sub-Committee, and any reference made to the opinions of this Conference upon minorities must be taken not from this more or less casual expression but from the authoritative pronouncement that will come from the Minorities sub-Committee.

Sardar Sampuran Singh: I want to make a little observation about this.

Chairman: Paragraph 34?

Sardar Sampuran Singh: Yes; and that is about a special interest, that is, of the military. They always have had one member on the Assembly from the Punjab, and perhaps from other Provinces as well, and I think that that interest should not be ignored even in the new Constitution.

Chairman: That will be noted, yes.

Raja Sher Muhammad Khan: I support my friend. So far as the Legislature in the Punjab is concerned, there are one or two seats reserved for ex-soldiers. There are a great number of them in the Punjab, and I hope that the word "ex-soldiers" will be added after the word "labour".

States. Supposing you have in the Council of State 150 members, and in the Assembly 300, that will make a total of 450; and, even assuming that the States have only 50 in the Upper Chamber, that will be one-third, and 24 per cent. only in the Lower Chamber, that will be 72. The State representatives in the two Chambers together will be 122, and it will be necessary for a Federal Executive to have 151 votes, i.e., one-third, in order to be assured of their continued existence. In other words, it means, Sir, that with the assistance of 29 more members, it will be possible for the Federal Executive to dig itself in. I think it may be safely said that members of the Council of State being men of weight and character, will generally be conservative in their ways, and will support the Ministry; it will really mean an irremovable executive.

Chairman: Of course, it will have to be made a practical proposal.

Dewan Bahadur Ramachandra Rao: I also have a feeling that two-thirds is too big a majority in practical politics. I do not say I have any specific proposal for the present; it is a matter which requires very careful consideration.

Chairman: The last sentence is the governing sentence.

Mr. Jadhav: I suggest there should be no mention of two-thirds or any majority at all.

Chairman: 35 noted. 36?

Mr. Chintamani: Sir, I invite attention to this passage in paragraph 36, which is at page 15, namely: "The States desire that their representatives in the Legislature should play their part equally with their British Indian colleagues in expressing the decision of the Legislature on any question which involves the existence of the Ministry, even if the matter which has given rise to the question of confidence is one which primarily affects British India only." I desire, Sir, that my dissent from this should be noted. Having regard to the proposed composition of the two Houses, this will mean that a ministry against which there is a motion of no-confidence on a purely British Indian matter can retain office with the aid of the votes of members not representing any part of British India at all. I think this is very unsound and I desire my dissent to be noted.

Mr. Jinnah: Sir, that is my point and I entirely agree with it.

Sir Akbar Hydari: Sir, I want to say that the whole of this paragraph 36 must be considered, so far as the opinion of the States is concerned, as being subject to what has been stated in paragraph 4.

Diwan Bahadur Ramachandra Rao: That is so.

Sir Akbar Hydari: The States desire to confine their participation to purely federal subjects as so defined and have no part or parcel in either legislative or administrative matters relating purely to British India.

H.H. The Maharaja of Bikaner: Sir, may I just explain? We made it clear that we did not want to take part in purely British Indian affairs; but, it being a federal government, the States must claim a voice in matters with regard to the overthrow of the government even if the subject under debate may refer to British India, because we cannot have a government which is a common government of the States and British India thrown out without our having some say in the matter.

Chairman: You will consider also in the interval, will you not, Your Highness, that if you are going to take no responsibility, then no representative of the States can act as a representative on the Executive.

H.H. The Maharaja of Bikaner: Quite so, Sir.

Chairman: 36 noted. "37. Competence of the Federal Legislature."

Mr. Jinnah: Sir, I wish to express my dissent with regard to 36 and 37. I think it is only by an oversight that that dissent has not been brought out.

Lord Sankey: Yes, quite right.

Chairman: 37 noted. 38?

Sir Akbar Hydari: Where it says "whether these residuary powers of legislation are to rest with the Federal Government or with the Provinces," I wish to say that instead of the word "Federal" it should be "Central Government".

Mr. Sastri: No, it is meant to be Federal.

Sir Akbar Hydari: Because there can be no residuary department as far as the Indian States are concerned.

Chairman: That point will be noted, so that when the drafting takes place it will be provided for. 38 noted. 39?

Sir Akbar Hydari: There again, in the last line but one, where it says "vesting in the Federal Government" it should be the Central Government.

Lord Reading: There is only one Government.

Lord Sankey: I see what you say, Sir Akbar; it is a drafting point.

Chairman: We will see what substance there is in it.

Mr. Jinnah: I do not agree that the authority should be either a Federal Government or a Central Government.

Lord Sankey: Yes, I follow, Mr. Jinnah.

Chairman: 39 noted. There are appendices. Appendix I is by way of illustration. That must, of course, be very carefully scrutinised by the experts on both sides, and you can just note it without any observations with regard to it.

Mr. Joshi: I do not want to make a speech, but I wish it to be noted that in my view labour should be made a federal subject. Industries in India as well as outside are on a competitive basis, and it is on account of the competitive nature of industries that the tendency is to internationalise labour questions. It will therefore be quite necessary that labour legislation in India should be national; that is, federal. In the same way, I find that international matters are not mentioned. International and inter-commonwealth matters must also be federal. And on page 8, "26 Industrial matters. Factories. Settlement of labour disputes," and "(g)" labour welfare. It should be noted, Sir, that in my view the Labour legislation passed by the Central Legislature should also be administered by the Central Government. The Report as it is drafted here leaves the administration to Provinces, while the legislation will be Central. In my judgment this is a wrong arrangement. Labour legislation throws a financial burden upon the administration. It is a wrong thing to allow a Central Government to pass legislation and ask the Provincial Government to bear the financial burden. I therefore think that the administration of the Central Labour Legislation should also remain Central.

Mr. Jayakar: I should like to say something with regard to the administration of justice on page 7 of the Schedule. It says: "As regards High Courts, Chief Courts, Courts of Judicial Commissioners, and any Courts of Criminal Jurisdiction." I think High Courts all over British India ought to be made a central subject.

Chairman: That is noted.

Mr. Tambe: I associate myself with that.

Sardar Sampuran Singh: I support that.

Chairman: Appendix I is noted.

Sir [illegible]: With regard to Appendix I, I suggest the wording against Item No. 10 should be the same as against No. 12.

Chairman: That will be noted. Appendix II noted. That finishes that Report.

Sub-Committee No. II (Provincial Constitution).

REPORT PRESENTED AT THIRD MEETING OF THE COMMITTEE OF THE WHOLE CONFERENCE, HELD ON 16TH DECEMBER, 1930.

1. The following report, subject to adjustment to the complete constitution, is submitted by sub-Committee No. II.

2. The sub-Committee was appointed to consider two heads of the Lord Chancellor's list, namely

(a) The powers of the provincial legislatures.

(b) The constitution, character, powers, and responsibilities of the provincial executives.

3. The sub-Committee met on the 4th, 5th, 8th, 9th and 15th December. The proceedings on the first and second days comprised a general discussion of the problem. On the succeeding days particular issues were separately considered and examined. The Chairman ruled that the size, lifetime, number of chambers of the provincial legislatures, and the question of the official bloc might also be discussed as germane to the sub-Committee's Terms of Reference.

4. *The Abolition of Dyarchy.*—The sub-Committee is agreed that in the Governor's provinces the existing system of dyarchy should be abolished and that all provincial subjects, including the portfolio of law and order, should be administered in responsibility to the provincial legislatures. (See note at end.)

5. *The Composition of the Provincial Executives.*—(a) *Joint Responsibility.*—The sub-Committee recommends that there should be unitary executives; and that the individual Ministers composing the executive should be jointly responsible to the legislature.

(Raja Narendra Nath awaits the report of the Minorities sub-Committee before agreeing finally to joint responsibility.)

(b) *The appointment of Ministers.*—The responsibility for appointing Ministers will rest with the Governor. The sub-Committee is of opinion that in the discharge of that function the Governor should ordinarily summon the member possessing the largest following in the legislature, and invite him to select the Ministers and submit their names for approval. The Ministers should ordinarily be drawn from among the elected members of the provincial legislature. In the event of the appointment of a non-elected non-official, such person should be required by statute to secure election to the legislature (and if the legislature be bicameral, to either chamber) within a prescribed period not exceeding six months, but subject to this limit he may be nominated by the Governor to be a member of the legislature.

The sub-Committee is of opinion that there should be no discretion to permit the appointment of an official to the Cabinet.

(The Marquess of Zetland and Sir Robert Hamilton dissent from the last two sentences.)

(c) *Group or communal representation in the Cabinet.*—The sub-Committee considers it a matter of practical importance to the success of the new constitutions that important minority interests should be adequately recognised in the formation of the provincial executives. An obligation to endeavour to secure such representation should be expressed in the Instrument of Instructions to the Governor.

(Mr. Chintamani dissents from the last sentence.)

6. *Powers of the Governor.* (a) *In regard to legislature.* (1) The Governor shall have power to dissolve the legislature; he may assent or withhold assent to legislation; he may return a bill for reconsideration by the legislature, or reserve it for the consideration of the Governor-General.

(2) It shall not be lawful without the previous sanction of the Governor to introduce any legislation

(i) affecting the religion or religious rites of any class of community in the Province;

(ii) regulating any subject declared under the constitution to be a federal or central subject;

(iii) any measure repealing or affecting any Act of the federal or central legislature or Ordinance made by the Governor-General.

(b) *Conduct of business.* (1) The Governor shall, with the knowledge of his Ministers, be placed in possession of such information as may be needed by him for the discharge of duties imposed upon him by the constitution.

(2) In the opinion of the sub-Committee, the Chief Minister should preside over meetings of the Cabinet; but on any special occasion, the Governor may preside.

(c) *Relations of the Governor to his Ministers.* (1) The Ministers shall hold office during the pleasure of the Governor.

(2) Sub-section 3 of section 52 of the Government of India Act, which confers a general power on the Governor to refuse to be guided by the advice of his Ministers when he sees sufficient cause to dissent from their opinion shall no longer operate. The Governor's power to direct that action should be taken otherwise than in accordance with the advice of the Ministers, shall be restricted to the discharge of the specified duties imposed on him by the constitution. These duties shall include the protection of minorities and the safeguarding of the safety and tranquillity of the Province.

(1) *Special and Emergency powers.*—There shall be vested in the Governor (1) suitable powers in regard to legislation and finance necessary for the discharge of the specified duties imposed upon him by the constitution and (2) suitable emergency powers to carry on the administration in the event of a breakdown of government or the constitution. The powers under (2) shall not remain in operation for more than six months without the approval of Parliament expressed by a resolution of both Houses.

The sub-Committee suggests further that in their opinion it is desirable that the present rigid convention in Provinces other than the Presidencies of appointing Governors drawn from the Indian Civil Service should be relaxed. (There was some support for the substitution of the word "discontinued" for the word "relaxed.")

> (*Sir Chimanlal Setalvad, Sir Cowasji Jehangir and Messrs. Ramachandra Rao, Barooah, Chintamani, Joshi, Paul and Ambedkar, dissent from the sub-Committee's conclusions on the powers of the Governor.*)

7. *The Composition of the Provincial Legislatures.*—(a) *Their size.* The sub-Committee anticipates that, to meet the conditions of the new constitution and electorates, the provincial legislatures will require to be enlarged on the basis of ascertained needs, regard being had to the numbers and character of the constituencies.

(b) *The duration.* In the opinion of the sub-Committee the normal lifetime of the provincial legislatures should not exceed five years.

(c) *The official bloc.* With the possible exception of a strictly limited proportion of non-officials who may in some Provinces require to be nominated by the Governor to secure the representation of groups unable to return their own members through the polls, the new provincial legislatures should consist wholly of elected members, and the official bloc should disappear.

(d) *Second Chambers.*—The existing provincial legislatures are unicameral. The sub-Committee recognises that conditions in some Provinces may make it desirable that the provincial legislatures should be bicameral; but the decision to incorporate a second chamber in the new constitution of any Province other than Bengal, the United Provinces and Bihar and Orissa where opinion in favour of a second chamber has already been expressed should not be taken until opinion in the Province definitely favours this course.

> [The reference to the Provinces of Bengal, the United Provinces and Bihar and Orissa was inserted at the wish of a majority of the sub-Committee.]

Note.

(1) The question of the administration of the police was raised by Lord Zetland under paragraph 4, and it was decided that this

should be left to the report of the Services sub-Committee when set up.

(2) The sub-Committee did not consider the constitution of the North-West Frontier Province since it was understood that a special sub-Committee would be set up to deal with this subject.

(Sd.) ARTHUR HENDERSON,
Chairman.

St. James's Palace, London
15th December, 1930.

The following Delegates were members of the sub-Committee:—

Mr. A. Henderson (*Chairman*).
Lord Zetland.
Sir Robert Hamilton.
H.H. The Maharaja of Nawanagar.
Sir Prabhashankar Pattani.
Rao Bahadur Krishnama Chari.
(The three above: Holding a watching brief.)
Sir Ghulam Hussain Hidayatullah.
Mr. Jadhav.
Sir Chimanlal Setalvad.
Sir Cowasji Jehangir.
Sir Shah Nawaz Bhutto.
Sir Provash Chunder Mitter.
Mr. Fazl-ul-Huq.
Raja of Parlakimedi.
Mr. Ramachandra Rao.
Sir A. P. Patro.
Nawab Sir Ahmad Said Khan.
Mr. Chintamani.
Mr. Tambe.
Mr. Zafrullah Khan.
Raja Narendra Nath.
Sardar Sampuran Singh.
Maharaja of Darbhanga.
Mr. Barooah.
Sir Abdul Qaiyum.
Mr. Wood.
Mr. Paul.
Mr. Joshi.
Dr. Ambedkar.

Comments in Committee of whole Conference (16th December, 1930) on Report of sub-Committee No. II (Provincial Constitution).

Mr. Henderson: Mr. Chairman, I have much pleasure in presenting the Report of sub-Committee No. II. I need not say to those who have read the Report that the sub-Committee was not entirely unanimous on every point, but on the whole we had several very interesting sittings. I think the work done has been fairly well set out, with the marks of dissent at the end of each of the paragraphs. The Report speaks for itself, and I do not propose to take up your time except to say that at the end you will see there are two notes. One deals with the point which was raised by Lord Zetland with regard to Police Administration. It was felt that that matter had better stand over until the Report of the Services sub-Committee had been presented, leaving members of the sub-Committee free to take up their points when such Report is before this gathering. The second note refers to the North-West Frontier Province. One of the representatives was very keen about that, and rightly so I think, and we made a note that that matter would probably be reached to-day in this gathering, and that a Committee or sub-Committee would be appointed to deal with it and to present a Report. I have much pleasure in presenting this Report to be noted.

Chairman: The first business section in this Report is Section 4. "The Abolition of Dyarchy."

Mr. Joshi: I should like to raise a point here. There are certain subjects which are at present Provincial. The subjects in which I am interested are factories, the settlement of labour disputes and labour welfare. They are Provincial subjects to-day, but they are subject to Central legislation. I want it to be noted, Sir, that when the Provincial subjects are transferred the sub-Committee has not yet considered what is going to happen to those subjects which are subject to Central legislation. For instance, take factories and labour welfare: what is going to happen to such subjects if they are transferred and if the legislation is Central?

Difficulties may arise. The administration will be in the hands of the Provinces; while the Central Legislature may pass legislation, the Central Government will have no control over the Provincial Governments, and the Provincial Governments may not agree to administer the law which the Central Legislature may pass, or at all events not to administer them adequately. For instance, if the Factories Act provides for the adequate inspection of factories, the Provincial Governments, on the ground of economy, may not provide sufficient inspection. It therefore becomes necessary, under the changed circumstances, that factories should cease to be a Provincial subject and must be transferred

to the Central Government. The sub-Committee did not consider this point, and I want it to be noted that the sub-Committee has not considered this point yet.

Mr. Henderson: Mr. Joshi is quite right in saying that the sub-Committee did not consider the point he has just raised. He did raise it in the sub-Committee, but I ruled at once that it was a subject for Central consideration rather than one which could be considered in the sub-Committee dealing with Provincial questions.

This at once brings home to us, as I am sure it must to the whole of this Committee, the difficulty of discussing this Report apart from what may be decided in some of the other sub-Committees. I am afraid I cannot give Mr. Joshi any further answer to-day than I gave him when he raised the matter in the sub-Committee. The point will be noted.

Sir B. N. Mitra: The point raised by Mr. Joshi cuts at the root of the whole thing. He referred to factory laws; but, if I am to pursue the matter further, may I ask, what about the criminal law? Criminal law passed by the Central Legislature will have to be administered by the Provinces. If I am to pursue Mr. Joshi's argument, I might ask what safeguard will there be that the Provincial administration will adequately enforce the criminal laws passed by the Central Legislature.

I think, as a matter of fact, Mr. Joshi is unduly apprehensive. I have administered at the Centre the portfolio of Labour for five or six years. I do not think there is any provision in the present Government of India Act which makes it possible for the Central Government under the existing constitution to force a Provincial Government to employ more factory inspectors. It is only under certain specified conditions that the Governor can restore or introduce grants not passed by the Provincial Legislature, and that is fundamental to the whole of the existing constitution.

I entirely agree with what has fallen from Mr. Henderson, that this is a matter which will have to be separately considered, perhaps by the sub-Committee over which the Lord Chancellor has been presiding. I think the Interim Report makes a reference to Central subjects, as distinct from Federal subjects. When the sub-Committee does take up the question of those Central subjects—and I think at one stage I suggested it might be done—all these questions will have to be considered; but, as I have already said, I see no force at all in Mr. Joshi's point with regard to the administration of the factory laws.

Mr. Joshi: I do not want to make a speech, but Sir B. N. Mitra has raised the point that under the present law the Government of India cannot do more in the case of the legislation I mentioned. He is under a misapprehension there. He had sufficient power as a Member of the Government of India to take

a local Government to do what he liked in the matter of factory legislation and labour welfare generally, on account of the fact that factories and labour legislation were not transferred subjects. These subjects were kept reserved simply because the Government of India wanted control over these matters. But the situation will now change if this question is transferred; the Central Legislature may pass legislation, and there will be no control left over the Provinces to see that these laws are properly administered.

There is another point which I should like to mention. Sir B. N. Mitra said he did not see the difference between the criminal law and labour legislation. The Central Legislature may pass a Health Insurance Act which throws a great financial burden on the Provincial revenues. Does he mean to tell me there is no difference between passing an ordinary criminal law, providing that certain punishments shall be inflicted for certain offences, and the passing of law such as a Health Insurance Act which throws financial burden on the Provincial revenues? There is a great difference between ordinary criminal law and labour legislation.

Sir B. N. Mitra: I was referring to proviso (*b*) to Section 72D (2) of the Government of India Act.

Chairman: We must not have a duologue, especially when this matter may come up at a later period. We will note what has been said by Mr. Joshi and by Sir B. N. Mitra.

Sir Cowasji Jehangir: I should like to say a word. This is a question which the sub-Committee did not consider, because the question of the division between Central and Provincial subjects came under another sub-Committee. How labour legislation and labour questions will be administered in future is a very important question but it is one we did not consider at all, and there is no reference to it in the Report; and therefore we are free in every way to express our opinions in the future.

Chairman: That is one of the things we cannot settle on the Report of either Committee; we can only settle it when both Reports are being considered together. Mr. Joshi's point about labour legislation, which is of supreme importance, will not be overlooked by the joint efforts of those whose business it is to bring the Reports together.

We note paragraph 4. (*Assent.*)

We note paragraph 5 (*a*), bearing in mind what Raja Narendra Nath has said, that he awaits the Report of the Minorities sub-Committee before agreeing finally to joint responsibility.

The discussion is now on paragraph 5 (*b*).

accept the principle of joint responsibility and at the same time make room for an official Minister you destroy the fabric of constitutional government in the Provinces. In that sense I have characterised some of the recommendations of the Statutory Commission as being bogus. Either you give us responsible government, which means joint responsibility, or you do not give us responsible government. I fail to understand how there can be joint responsibility in the case of members drawn from a particular party and an official who is supposed not to be drawn from any party. It is a marvel to me how in the Government of India we have had some members drawn from the Indian Civil Service and some from other professions, and yet we have talked loosely of the "Cabinet of the Viceroy." It is anything but a Cabinet. It is an Executive Council, presided over by the Governor-General, in which some people manage to carry on the administration with nothing like joint responsibility. If you introduce this system of an official Minister, I would advise the House not to have anything to do with a thing of this kind.

Lord Zetland: What Colonel Gidney has said is perfectly correct and logical, and in the course of the discussions in the sub-Committee I moved an amendment to meet that very point. The amendment received, I think, a good deal of support. The Report states: "In the event of the appointment of a non-elected non-official, such person should be required by Statute to secure election to the Legislature . . . ." My amendment was to introduce after the words "such person" the words "unless already a nominated member of either Chamber." That would have met the point raised by Colonel Gidney. In some Legislature it is contemplated that, for some time to come at any rate, it will not be possible to obtain representatives for all interests without a little nomination, and it obviously is illogical that you should lay it down that a man who is nominated to a Legislature to represent a particular interest is a member of the Legislature in every sense of the word except that he is not eligible to be appointed as a Minister. That seems to be an illogical position, and it was to meet that case that I moved my amendment. There was some difference of opinion as to whether the amendment should form part of the clause or not, and it was in these circumstances—I am not talking about the last sentence of the paragraph now, but about the last but one—that my dissent was recorded, and I think the same applies to Sir Robert Hamilton. I still think that if you are going to contemplate nomination to the Legislatures at all, it is illogical and unfair to lay it down that a nominated person should be ineligible to become a Minister.

Now with regard to what Sir Tej Bahadur Sapru has said about our dissent from the proposal to deprive the Governor of any discretion in any circumstances to nominate an official to the Ministry, let me assure him that our dissent must not be taken to mean that we wish in any way to depart from the principle of

Ministers. The point was that in paragraph 7 (c) provision is made for the Governor to nominate a certain number to represent such groups and interests as may not be represented by election. Therefore some members of the Committee argued that if the Governor had the power of giving those groups and interests representation, he should also have the power, along with his Chief Minister, of appointing those persons as Ministers. I think, Sir, there was a majority in the Committee who did not approve of the principle of nominated members being appointed Ministers. It is not so in the present constitution: under the Government of India Act in transferred subjects a Minister must be an elected Member of the House. In the Lower House in England it is also so.

Chairman: No.

Sir Cowasji Jehangir: He may be made a Minister, but generally he has to seek election afterwards. Provision therefore was made that the Chief Minister might appoint a man not elected to the Council a Minister, but within six months he must find a seat. That provision has already been made, and therefore on the whole I think it is wise to exclude nominated Members from being appointed Ministers. If a man representing a group or particular interest is of such importance that it is found necessary to appoint him a Minister, I think it ought to be possible for him to get an electorate to return him to a Provincial Council. That is a principle that has been recognised in the Government of India Act and I trust it will be continued.

But, Sir, as to the appointment of officials as members of the Ministry, that is a much more important point. Lord Zetland has now just told us that he means this to be an exceptional case, that under exceptional circumstances the Governor with his Chief Minister may desire to appoint an official. But may I respectfully point out that these exceptional cases in India have a habit of becoming very general. That has been our bitter experience in the working of the Government of India Act and in dyarchy. Exceptional provisions were introduced into the Act to meet exceptional circumstances, but in the lapse of time those exceptional circumstances were forgotten and the provisions of the Act were taken advantage of on every possible occasion. I can only point out as an instance the section that has been referred to in this Report itself, sub-section 3 of section 52. If you will see the Joint Committee's Report, you will find that that section was inserted in the Act only to be taken advantage of under exceptional circumstances, and every Delegate round this Table who has had any experience of the working of the Government of India Act in the Provinces will tell you that that Act was taken advantage of by Governors all over India under ordinary circumstances. Therefore, Prime Minister, I strongly object to having provisions for exceptional circumstances without clearly defining what those exceptional circumstances should be. Under any circumstances I

would object to having an official as a Minister. Sir Tej Bahadur has very rightly pointed out that you go to the very root of joint responsibility when you introduce into a Government an official. I do honestly and sincerely hope that the contention for the introduction in the Act of a provision for the appointment of an official in the Ministry will be given up.

Mr. Gavin Jones: Mr. Prime Minister, I should just like to say a few words in support of Lord Zetland's contention. I think our friend Sir Tej Bahadur Sapru and others are thinking too much in terms of the bureaucratic Government. The Government of the Province is going to be changed entirely to a responsible Government, and the idea of permitting nominated persons and officials to be appointed to the Ministry, if it is found advisable for the efficiency of that Ministry to do so, does not in the least interfere with the principle of responsibility to the Legislature.

Sir Tej Bahadur Sapru: What sort of responsibility will it be, what brand?

Mr. Gavin Jones: Mind this, Sir Tej Bahadur Sapru, that the appointment of these Ministers will be in the hands of the Chief Minister, and the Chief Minister must appoint a Ministry which is going to be in sympathy with his Legislature.

Sir Cowasji Jehangir: That is not so.

Mr. Gavin Jones: Therefore I maintain that it is only for the purposes of efficiency that these Ministers will be required, and that the joint responsibility of the whole Ministry will still be maintained whoever is in that Ministry. I therefore do hope that this old idea, this suspicion at the back of the mind that bureaucracy will be able to interfere with the Government of the Provinces, will be put aside entirely, because you cannot get away from the principle which we are now adopting that the Ministry as a whole will be responsible to the Legislature.

Chairman: Now, I think we have again had the case for and against and it will all be noted. So, unless you want to raise any other point, I put it to the meeting that (*b*) be noted. (*b*) is noted. Then we come to (*c*).

Maulana Mohammad Ali: In the last line of (*c*) it is said: "An obligation to endeavour to secure such representation should be expressed in the Instrument of Instructions to the Governor." I very strongly object to this important reservation being noted in the Instrument of Instructions. I think, Sir, it should be part of the constitution, in whatever form you have it. We have had examples of Instruments of Instructions to the Governors which have been entirely ignored. As there are Governors present here,

they will justify that themselves. This is a matter in which you would find that in every country, for whose interests this is being done, [illegible] not only the Muslim minority, but every minority, would be absolutely unanimous about this, that this should be part of the constitution. Whether you put it in the Statute, or whether you put it anywhere else, this should go as part of the constitution and should be recognised as such. After all, representation of small minorities in a very small way does not make so much difference as their being represented in the Government itself. Small minorities and large minorities should feel that the Government is their Government and that they have a part in the administration of the country. Therefore this provision should not appear in the Instrument of Instructions to the Governor but should be part of the constitution itself.

Mr. Joshi: I think Maulana Muhammad Ali does not recognise that if you put down in the Statute that a minority must be represented in the executive, the joint responsibility of the Ministry will again be destroyed.

Maulana Muhammad Ali: Why?

Mr. Joshi: Unless the minority communities join the other political parties.

Maulana Muhammad Ali: Certainly.

Mr. Joshi: There is no chance of there being joint responsibility and representation of the minority communities. If the minority communities join the political parties which are formed either on the basis of economic principles or political principles, they are bound to be represented; but supposing, for instance, a minority community refuses to join a political party, the principle of joint responsibility will disappear if the Governor nominates members who are not willing to work with the Chief Minister or the other members of the Ministry. Maulana Muhammad Ali, therefore, must either elect to have no joint responsibility at all or to insist upon statutory provisions for the appointment of Ministers from all communities.

Chairman: We are at a very important consideration that goes right to the root of much more than is mentioned in this paragraph. It is the question of how responsibility can be exercised unless your public bodies represent public opinion, irrespective of any communal consideration. I should be very glad if you would all carefully and prayerfully turn that over in your minds between now and the final decisions we have got to come to on certain other points.

(*The Committee rose at 1 p.m. until 2-30 p.m.*)

Chairman: Now we come back to the Report of sub-Committee No. II, where we were at Section 5, sub-Section (c). I am now prepared to listen to a continuation of the observations upon that.

Lt.-Col. Gidney: Sir, I have a few observations to make on this matter, and they take this form. To my mind I cannot understand why there should be this differentiation made of important minority interests. I should like to ask what is considered to be an important minority. Surely, if we are all going to make our little spot on a new map of India, every minority has to be considered, and why there should be this differentiation indicated by the words "important minority" is to my mind just now a puzzle. Will you take it from the point of view of quantitative strength; will you take it from the intellectual point of view; will you take it from a commercial point of view; or will you take it from an educational point of view? If you do, you will then be asked questions as to the Depressed Classes of 50 millions, and the Indian Christians of 7 millions. I am at present excluding my Muslim friends, because I call them the majority-minority community, well able to look after themselves and more than look after themselves. But to my mind, Sir, this differentiation of important minority interests is rather a puzzle to me just now. It surely does not mean to bar the interests of the real minority, because, if it does, it is distinctly unfair. The value of a majority government depends entirely on the protections it affords to every minority.

I am not going to mince words when I say that minorities are apprehensive of their future—are gravely apprehensive of their future—for reasons I am not prepared to state, but for reasons which are obvious to most of us. It is to prevent that, it is to take that apprehension from our minds, that I consider this exclusion of the real minorities, some of which have played a very long and great and abiding part in India, should be considered.

Now, Sir, it goes on further here to say that an obligation to endeavour to secure such representation should be expressed in the Instrument of Instructions to the Governor. We all know that the Government of India Act of 1919 contains many Instruments of Instructions to the Governor, but, so far as the operation of those Instructions is concerned, I should call them not Instruments of Instructions, but, so far as the results have led me to think, they would be more suitably called Instruments of Destruction. I can assure you that they have very little effect whatever to protect the interests of the minorities. Governors have been empowered with most wonderful powers in these Instruments of Instructions, but scarcely ever have they been used; firstly, because they do not like to exercise that power; secondly, because the interests of the minorities are an after-thought to them. I am talking of minorities who are really suffering from the non-observance of these Instruments of Instructions, and it is for that reason that I strongly protest against any such provision being made in an Instrument of Instructions. In Provincial

Ministries, where the interests of the minorities are so gravely concerned, I consider that it should be a part of the constitution that there should be in the statute a provision for the representation of minorities in the Ministry. I care not which minority it is: it may be Depressed Classes; it may be the Europeans; it may be the Indian Christians or any other minority; because, as you know, when you take India as a whole, in certain Provinces you have more Indian Christians than in others, in certain Provinces you have more of the Depressed Classes than in others; in certain Provinces you have more Europeans than in others; and so with regard to the small community which I have the honour to represent. I submit that to put that down as part of the Instrument of Instructions will carry us no further than it has carried us during the last decade.

I have heard Sir Tej Bahadur Sapru, for whose opinion I have the greatest regard, say just now that it would be against the very nucleus or the very essence of a responsible Government. Am I to understand him to mean that he believes in that dictum: "By irresponsibility find out a responsibility?" If that is so, then go away; but till such time as responsibility has been found out, surely no one in this House will deny me that for the next 20 or 25 years, whether you agree to a communal representation in your Ministry or not, you will have to have it. No Ministry will be formed in India, Provincial or Central, that will not contain my Muslim brothers, and in proper proportions. They will not allow it to be otherwise; and do you mean to say that we, who are of the minorities here, will allow ourselves to be excluded?

Another point is brought in here. Our friends, the Indian Princes, have decided to federate. In my speech possibly I was unwise in saying that that was a leap in the dark. But it has taken place. What is going to happen with that federation I do not know; it has introduced a certain element in the formation of Ministries both in the Provinces and at the Centre which we must take into consideration as a minority.

Sir Tej Bahadur Sapru: Not in the Provinces.

Lt.-Col. Gidney: Correct me if I am wrong, Sir Tej Bahadur, but I believe the Princes will demand entrance to the Provincial Ministry.

Mr. Sastri: No.

Lt.-Col. Gidney: Well, I am glad they will not. It is a very minor matter and it does not detract from the strength of my claim, as I look upon it. My friends may say to me, How ridiculous it is to ask for provision for representation of the minorities in the Ministry by statute. I have before me here a precedent; the New Zealand Commonwealth has given two seats to the Maoris in the Executive Council; it has given four seats in the Parliament out

laid upon him to have every minority, or some minorities, put into the Cabinet, it would be a very difficult thing. In all probability, no wise chief Minister will forget an important minority community, because unless he gets the minorities to support him he may not find it possible to run the Government. Therefore it would be up to him to consult his own interests, and in so consulting his own interests to bring with him the important minority communities. That he would do as a matter of prudence and of self-preservation. But to impose it as a statutory duty would make it impossible to form a Cabinet or to work this joint responsibility with any safety or even convenience. I would appeal to my friends not to insist upon a statutory provision in this manner.

Let us see exactly how the position will work out. Supposing the Cabinet of a particular Province is to be composed of six people. There are five minorities. Are all of them to be represented? Is the majority in the Council to be represented only by one or two. Then how does the chief minister run the Cabinet? On the other hand the majority, as in my Province or in some other Province, is 90 per cent. or 80 per cent. of one community; it may be to the interests of the chief Minister when he finds party divisions or non-communal lines developing, to enlist the support of the next important group or the next important minority and have it with him for party purposes. In that way healthy party divisions will spring into existence, apart from communal divisions. To insist that minorities should be represented, whatever may be their political affiliations or implications, would be to demand a thing which is the very reverse of democracy.

Mr. Fazl-ul-Huq: I wish one thing to be noted arising out of the speech of my friend Sir Ramaswami Aiyar. I know that we are not discussing this with a view to arriving at a final decision, but in order to form the basis of discussions later on in order then that we might ultimately arrive at some final decision. Taking the example which has been quoted by Sir Ramaswami Aiyar, in a Province where the minorities are distributed as he mentioned — namely, about 6 or 7 per cent. Muhammadans, 2 per cent. Christians and a few thousands Europeans—the rest, the major community, consists of about 92 per cent. If the chief Minister elects to form his Cabinet out of the representatives of the 92 per cent., where is the risk to the Ministry at all? The only safeguard which Sir Ramaswami suggests—that, if in the formation of the Ministry, the chief Minister ignores minority interests his Ministry will be imperilled—cannot apply to a case where the minorities, singly or collectively, amount to a microscopic fraction only. I want him to consider what should be the safeguard against such an eventuality. I understood my friend Colonel Gidney to say that the word "important" should be deleted, and that all minorities should be considered. In the Instrument of Instructions there is a recommendation that "all endeavour" should be made. So long as honest efforts are made there can be no ground of complaint.

Chairman: The use of the word "important" and the last sentence will be duly noted for consideration. The question is that (c) be noted. (Agreed to.)

"6. Powers of the Governor." The question is that (a) (1) be noted. (Agreed to.) The question is that (a) (2) be noted.

Sir Tej Bahadur Sapru: (iii) provides for any measure repealing or affecting any Act of the federal or central legislature or ordinance made by the Governor General. I take it that this will have to be revised when we have dealt with the power of the Governor General —having regard to the word "ordinance" there.

Chairman: That is so. That will be one of the cases which will have to be co-ordinated. We may have to use sandpaper very literally in order to rub these things down. The question is that (2) be noted. (Agreed to.)

Now we come to "(b) Conduct of Business." The question is that (1) be noted. (Agreed to.) The question is that (2) be noted.

Mr. Sastri: I should like to raise a question on this. I was not on this sub-Committee, and I am unable to understand the necessity which calls for the provision "but on any special occasion, the Governor may preside." Is the Governor to be reckoned as part of the Executive? And when he presides is he to exercise a vote? Will he then take part of the responsibility? Very difficult questions arise on that subject, and I should like to know the grounds upon which this clause has been inserted.

Mr. Henderson: I think I had better take this at once. There were two extreme opinions. There were those who never wanted the Governor to be able to preside at any meeting under any circumstances, and I think there were those who would like the Governor to have presided at all meetings, and not to have had a chief Minister. It was felt that under all normal circumstances the best thing that could occur would be to have a chief Minister, and that the chief Minister should preside; but in the event of circumstances arising which necessitated a meeting of the Governor not only with the chief Minister but with the whole of the Ministry, then it was thought that merely as a matter of courtesy it should be within his rights to take the chair on that particular occasion. Here again the Report took, as it were, the middle course. I hope with this explanation (2) will be accepted.

Mr. Chintamani: There were those in the sub-Committee who felt more or less the same difficulties as Mr. Sastri has just given expression to, and therefore an amendment was moved on their behalf that the Governor might consult with the Ministers whenever he chose, and not that he would have the power of presiding on any special occasion over the Cabinet. But that amendment was not accepted by the sub-Committee. This is only a statement of fact supplementary to what our Chairman has stated.

Mr. Henderson: That is right.

Chairman: The question is that (2) be noted. (Agreed to.)

Now (e) "Relations of the Governor to his Ministers." The question is that (1) be noted. (Agreed to.) The question is that (2) be noted.

Mr. Chintamani: It is particularly with reference to this that there was a serious division of opinion, which finds expression in the foot-note in italics appended to this part of the Report —the foot-note which relates to the dissent of eight of us from the conclusions of the majority of the Committee. In order not to detain this Committee too long, I may say that, broadly speaking, the difference resolves itself into this. We all recognised the expediency of endowing the Governor with what are called emergency powers in the event of a serious disturbance of the public peace or a breakdown of the constitution; but we did not agree on the question whether normally, as a part of the ordinary administrative routine, the Governor should have any power, even with regard to safety and tranquillity, apart from what powers he would have as a constitutional Governor in emergencies, he would have the power to over-ride his Ministers, and direct that action be taken in a particular manner, but the legislative and financial powers covering safety and tranquillity when no emergency is declared may mean a very great deal, as those will easily realise who have had anything to do with porvincial administration in India, whether from inside the Government or from inside the Legislature. Sir Chimanlal Setalvad and the rest of us are strongly convinced that you cannot have responsible government in the Province if in the ordinary administration you endow the Governor with legislative and financial powers covering the extensive ground which this clause in the Report does cover.

I think this is almost fatal to the structure of truly responsible government in the Province; in another form you will be reproducing the difficulties of the last ten years, which have resulted in the complete failure of the very well-meant and nobly-conceived Montagu-Chelmsford Reforms. At a time when we are out to win Dominion Status and a responsible Central Government, I venture to think that for the advocates of representative and responsible government to insert this clause giving extraordinary powers to the Governor in ordinary administration would mean denying even to the Provinces what is popularly called provincial autonomy or responsible government.

I merely state this so that the Committee may be prepared for a very serious discussion on this part of the Report of the sub-Committee when we meet in the Plenary Session.

Sir Chimanlal Setalvad: I should like to explain to the Committee the grounds of our dissent. You will see that clause (d) says "There shall be vested in the Governor (1) suitable powers in

regard to legislation and finance necessary for the discharge of the specified duties imposed upon him by the constitution." Stopping there, it gives the Governor power to legislate and to spend money for the discharge of the specified duties imposed upon him by the constitution, but what those duties are has nowhere been defined. If you turn to paragraph (5) or (6) you will see the last part of that says "The Governor's power to direct that action should be taken, otherwise than in accordance with the advice of the Ministers, shall be restricted to the discharge of the specified duties imposed on him by the constitution." Therein, again, it is very definite, but further it says "These duties shall include the protection of minorities and the safeguarding of the safety and tranquillity of the Province." It is therefore part of his duties to protect the minorities and to safeguard the safety and tranquillity of the Province, and inasmuch as under (d), in order to discharge those powers, you give him power to legislate and to spend money, I submit that is vesting too great a power in the Governor.

Take, for instance, the protection of minorities. It is true that he has to do that, but you give him power to legislate about it and to spend money on it. That is placing too indefinite a power in him. He can issue an ordinance for that purpose and he can spend any amount of money for that purpose without reference to the Ministry and in opposition to the view of the Cabinet. I submit, therefore, that the powers given there are too wide and too vague; they should be properly restricted.

Sir A. P. Patro : As one of those who supported the view of the majority of the sub-Committee on this matter, I should like to explain our position. In the new scheme of provincial autonomy that is proposed, when full responsibility is given, there must be certain safeguards in regard to the exercise of the powers vested in the Legislatures in view of the conditions prevailing in the Provinces at present. If, for instance, there is some disagreement on matters of policy amongst the Ministers themselves, in order to reconcile the Ministers with regard to policy, the Governor may preside, so as to bring about conciliation among the Ministers on such special occasions. That is a thing which occurs now in the day-to-day administration of the Provinces, and therefore it is nothing new and nothing extraordinary.

Secondly, with regard to the powers exercised by the Governor, so far as his interference is concerned, it is agreed on all sides that he shall not have the power to interfere in the day-to-day work of administration; it is only when extraordinary circumstances arise that power should be vested in someone so as to be able to save the constitution and to preserve the smooth working of the constitution. When Sir Chimanlal Setalvad objects to this power being vested in the Governor, he forgets that it is an emergency power, a special power.

Sir Chimanlal Setalvad : It is not.

Sir A. P. Patro: I am coming to that. It is emergency and special powers that are referred to. There is a provision in the present Act whereby the Governor can certify in the absence of the Council when special circumstances demand it. I asked in the sub-Committee and I ask now, whether there has been any instance within the experience of the administrators here present where such power has been abused and the Governor has exercised his powers arbitrarily. We have not had knowledge of any single instance in the Provinces where this power has been exercised wrongly or to the detriment of the constitution. This power is intended to be used when special circumstances arise and it is necessary to override the Ministers as, for example, when there is great communal tension and when the Ministers might act not on political principles or on democratic principles. I am sorry to say that the Ministry will have to be constituted from several groups, and if the members of the Cabinet are to be in such groups it is necessary, should mutual antagonism or other circumstances arise, that for the safety of the people some power should be vested in the Governor.

It was not that we were in any way wanting in the desire to achieve full responsible government, or that we lacked the spirit of patriotism or that we were not democratic; it was because practical experience and knowledge has taught us that certain powers should be vested in the Governor in order to safeguard the interests of the minorities and of all the people in the Province. It is not that we are anxious that the Governor should have any overriding powers; we are jealous of the powers of the Governor and think they should be limited as much as possible so that he may be a constitutional Governor; but as practical administrators we must realise the difficulties of the Provinces and make provision for them. We therefore support this provision in the draft.

Mr. Joshi: I quite sympathise with the desire that the minorities should have their interests protected by special powers being given to the Governor, but there is a limit not only to my sympathy but to the demands which should be made by the minorities in this matter. The minorities can certainly expect to have their interests protected by proper measures, but what they are asking here is not a proper measure, they are asking that the Governor should have unlimited power of spending money in protecting the interests of the minorities. Is it a very reasonable demand that the Governor should be given unlimited power of spending money from the public Treasury, and not only that but that he should be able to pass any legislation he likes for the protection of a minority?

Lt.-Col. Gidney: It is very necessary!

Mr. Joshi: Is it right that any minority should claim that its interests should be protected in this manner, by practically destroying the whole constitution by giving such wide powers to the Governor?

In addition to that, it is suggested that the Governor should be able to spend any amount of money for the peace and tranquillity of the country in ordinary times. If the Governor can spend any amount of money in ordinary times for peace and tranquillity, why not honestly say that we are not prepared to transfer Law and Order in the Provinces? It is, in my opinion, dishonest to suggest that Law and Order should be transferred and at the same time give the Governor unlimited power of spending money on Law and Order. Let us be honest and say we shall not transfer Law and Order, but do not let us say we are transferring Law and Order and at the same time give the Governor unlimited powers of spending money on the subject and also of legislating on it and doing what he likes in that respect. I suggest that is not an honest manner of proceeding with this subject.

Lord Zetland: I cannot help thinking that Mr. Joshi must have a very curious idea of the mentality of the average Governor!

Mr. Joshi: I have had sufficient experience of them!

Lord Zetland: Does he really suppose that the Governor is going to make use of these very special powers in the ordinary course of the administration?

Mr. Joshi: That is what you are proposing.

Lord Zetland: That is not what is intended.

Mr. Joshi: That is what is proposed.

Lord Zetland: It is only proposed to give the Governor these special powers for use in a case where a really serious difficulty arises.

Mr. Joshi: You make separate provision for emergencies.

Lord Zetland: Perhaps Mr Joshi will allow me to explain; it is difficult for me to explain what I mean if he keeps interrupting me. The suggestion is that the Governor should use these powers only when a special difficulty arises.

Mr. Joshi: That has been provided for.

Lord Zetland: And it is to be in two cases: first, to protect some minority from injustice, and secondly, to save the Province from some communal disaster.

Now really, Mr. Prime Minister, if the Governor is not to have some powers of that kind you cannot possibly ask him to accept any responsibility for the safety of his Province. It would be absurd to do so, and I really cannot see what the object would be in having a Governor at all.

Lt.-Col. Gidney : Quite so.

Lord Zetland : Surely the chief function of a Governor is to step in as the last resort, when the ordinary administration ceases to function. When I supported the proposals contained in this particular clause, it was nothing more than that that I had in my mind.

Sir Cowasji Jehangir : My first complaint against this clause, if I may say so with due respect to the Chairman, is the vagueness of the wording. If we could understand clearly what the intention of the sub-Committee was, I think on this particular point there would be much less discussion. As far as I can make out there is nobody in the Committee who objects to giving the Governor emergency powers, but there are those who do object to giving powers to the Governor to interfere with the discretion of the Minister in charge of Law and Order under a system of joint responsible government at any stage when he sees fit, if he comes to the conclusion that at some distant future date the safety and tranquillity of the Province may be imperilled.

You will see, Sir, that these provisions are divided between two paragraphs, but at the same time they are rather mixed up. In the first paragraph, namely, (e) (2), it says: "The Governor's power to direct that action should be taken, otherwise than in accordance with the advice of the Ministers, shall be restricted to the discharge of the specified duties imposed on him by the constitution." Those words occur twice; they occur again in the next paragraph; but in neither paragraph are we told exactly what those duties are that are to be imposed on him under the constitution, with two exceptions which occur in the two following lines, where it is stated, "These duties shall *include* "—I stress the word "include"—" the protection of minorities and the safeguarding of the safety and tranquillity of the Province." There may be other matters, but we do not know what those other matters are.

With regard to the safeguarding of minorities, personally I have no objection to the Governor having any powers that the minorities may desire in order to safeguard their interests, and I would wipe that out of the discussion.

But when it comes to the safeguarding of the safety and tranquillity of the Province we must know at what stage the Governor is supposed to interfere; whether he is to have complete discretion if he considers that the safety and tranquillity of the State are imperilled or may be imperilled a year hence, is he to take action? Are you to give him that satisfaction? I object to giving discretion of that sort to any man, because it is unfair to that man. It is placing responsibility upon his shoulders which he cannot exercise in justice to himself or in justice to those to whom he is responsible. I will try and illustrate what I mean. Very often a contingency arises where the Governor considers that really he ought to take action. But he is not quite certain whether he might not be able to get over the difficulty without overriding his Ministers. Well, why

Sir C. Setalvad.

Sir Phiroze Sethna.

Dr. Shafa'at Ahmad Khan.

Begum Shah Nawaz.

Rao Bahadur Srinivasan.

Mrs. Subbarayan.

Sardar Ujjal Singh.

Mr. Zafrullah Khan.

Captain Raja Sher Muhammad Khan and Nawab Sir Abdul Qaiyum (after the departure of Sir Sultan Ahmed and the Nawab of Chhitari).

2. The sub-Committee felt that the first task to which it should address itself was to have an authoritative statement of claims put in by the representatives of each community with proposals as to how their interests should be safeguarded. Opinion was unanimous that, in order to secure the co-operation of all communities, which is essential to the successful working of responsible government in India, it was necessary that the new constitution should contain provisions designed to assure communities that their interests would not be prejudiced; and that it was particularly desirable that some agreement should be come to between the major communities in order to facilitate the consideration of the whole question. Although this was very nearly accomplished, it has not yet succeeded, but the negotiations are to be continued both here and in India.

3. One of the chief proposals brought before the sub-Committee was the inclusion in the constitution of a declaration of fundamental rights safeguarding the cultural and religious life of the various communities and securing to every individual, without discrimination as to race, caste, creed or sex, the free exercise of economic, social and civil rights. (Mr. Joshi objected to the omission of reference to the economic rights of the various communities. Dr. Ambedkar called attention to the necessity of including in the constitution sanctions for the enforcement of the fundamental rights, including a right of redress when they are violated.)

4. The possibility was expressed that under certain conditions the election of the Legislatures might be from a general register, but no agreement was come to regarding these conditions.

Whilst it was generally admitted that a system of joint free electorates was in the abstract the most consistent with democratic principles as generally understood, and would be acceptable to the Depressed Classes after a short transitional period provided the franchise was based on adult suffrage, the opinion was expressed that, in view of the distribution of the communities in India and of their unequal economic, social and political effectiveness, there was a real danger that under such a system the representation secured by minorities would be totally inadequate, and that this system would therefore give no communal security.

5. Claims were put forward by various communities that arrangements should be made for communal representation and for fixed proportions of seats. It was also urged that the number of seats reserved for a minority community should in no case be less than its proportion in the population. The methods by which this could be secured were mainly three: (1) nomination, (2) joint electorates with reservation of seats, and (3) separate electorates.

6. Nomination was unanimously deprecated.

7. Joint electorates were proposed, with the proviso that a proportion of seats should be reserved to the communities. Thus a more democratic form would be given to the electors, whilst the purpose of the separate electorate system would be secured. Doubts were expressed that, whilst such a system of election might secure the representation of minorities, it provided no guarantee that the representation would be genuine, but that it might, in its working, mean the nomination or, in any event, the election of minority representatives by the majority communities.

It was pointed out that this was in fact only a form of community representation and had in practice all the objections to the more direct form of community electorates.

8. The discussion made it evident that the demand which remained as the only one which would be generally acceptable was separate electorates. The general objection to this scheme has been subject to much previous discussion in India. It involves what is a very difficult problem for solution, *viz.*, what should be the amount of communal representation in the various Provinces and in the Centre; that, if the whole, or practically the whole, of the seats in a Legislature are to be assigned to communities, there will be no room for the growth of independent political opinion or of true political parties, and this problem received a serious complication by the demand of the representative of the Depressed Classes that they should be deducted from the Hindu population and be regarded, for electoral purposes, as a separate community.

9. It was suggested that, in order to meet the most obvious objection to the earmarking of seats to communities, only a proportion should be so assigned—say 80 per cent. or 90 per cent.—and that the rest should be filled by open election. This, however, was not regarded by some of the communities as giving them the guarantees they required.

10. The scheme proposed by Maulana Muhammad Ali, a member of the sub-Committee, whose death we deplore, that, as far as possible, no communal candidate should be elected unless he secured at least 40 per cent. of the votes of his own community and at least 5 or 10 per cent., according to arrangement, of the votes of the other community, was also considered. It was, however, pointed out that such a scheme necessarily involved the maintenance of communal registers, and so was open to objections similar to those urged against separate electorates.

11. No claim for separate electorates or for the reservation of seats in joint electorates was made on behalf of women who should

continue to be eligible for election on the same footing as men. But, in order to familiarise the public mind with the idea of women taking an active part in political life and to secure their interim representation in the Legislatures, it was urged that 5 per cent. of the seats in the first three Councils should be reserved for women and it was suggested that they should be filled by co-option by the elected members voting by proportional representation.

12. There was general agreement with the recommendation of sub-Committee No. II (Provincial Constitution) that the representation on the Provincial Executives of important minority communities was a matter of the greatest practical importance for the successful working of the new constitution, and it was also agreed that, on the same grounds, Muhammadans should be represented on the Federal Executive. On behalf of the smaller minorities a claim was put forward for their representation, either individually or collectively, on the Provincial and Federal Executives, or that, if this should be found impossible, in each Cabinet there should be a Minister specially charged with the duty of protecting minority interests.

(Dr. Ambedkar and Sardar Ujjal Singh would add the words "and other important minorities" after the word Muhammadans in line 6.)

The difficulty of working jointly responsible Executives under such a scheme as this was pointed out.

13. As regards the administration, it was agreed that recruitment to both Provincial and Central Services should be entrusted to Public Service Commissions, with instructions to reconcile the claims of the various communities to fair and adequate representation in the Public Services, whilst providing for the maintenance of a proper standard of efficiency.

*14. On behalf of the British commercial community it was urged that a commercial treaty should be concluded between Great Britain and India, guaranteeing to the British mercantile community trading rights in India equal to those enjoyed by Indian-born subjects of His Majesty on the basis of reciprocal rights to be granted to Indians in the United Kingdom. It was agreed that the existing rights of the European community in India in regard to criminal trials should be maintained.

15. The discussion in the sub-Committee has enabled the Delegates to face the difficulties involved in the schemes put up, and though no general agreement has been reached, its necessity has become more apparent than ever.

16. It has also been made clear that the British Government cannot, with any chance of agreement, impose upon the communities an electoral principle which, in some feature or other, would be met by their opposition. It was therefore plain that, failing an agreement, separate electorates, with all their drawbacks and difficulties, would have to be retained as the basis of the electoral arrangements under the new constitution. From this the question of proportions would arise. Under these circumstances, the claims of the Depressed Classes will have to be considered adequately.

17. The sub-Committee, therefore, recommend that the Conference should register an opinion that it was desirable that an agreement upon the claims made to it should be reached, and that the negotiations should be continued between the representatives concerned, with a request that the result of their efforts should be reported to those engaged in the next stage of these negotiations.

18. The Minorities and Depressed Classes were definite in their assertion that they could not consent to any self-governing constitution for India unless their demands were met in a reasonable manner.

Signed on behalf of the sub-Committee,

J. RAMSAY MACDONALD.

St. James's Palace, London,

16th January, 1931.

The Committee of the whole Conference, at their meeting on 19th January, 1931, substituted* the following for paragraph 14:—

"At the instance of the British commercial community the principle was generally agreed that there should be no discrimination between the rights of the British mercantile community, firms and companies, trading in India and the rights of Indian-born subjects, and that an appropriate convention based on reciprocity should be entered into for the purpose of regulating these rights.

It was agreed that the existing rights of the European community in India in regard to criminal trials should be maintained."

* See p. [illegible] below.

COMMENTS BY THE COMMITTEE OF THE WHOLE CONFERENCE (16TH JANUARY, 1931) ON REPORT OF SUB-COMMITTEE No. III (MINORITIES).

Chairman: I am very sorry that the Report of the Minorities sub-Committee is not in print, but we were working upon it right up to half-past eleven this morning. I think it is in such a form, and so many of you who can speak as representatives on the various issues, have been members of the sub-Committee, that I do not think it will be any violation if I ask you to take it now. Do you agree? (*Agreed.*)

Paragraph 1 is formal. Paragraph 2 noted; paragraph 3 noted; paragraph 4 noted; paragraph 5.

Mr. Barooah: Personally, I am not for communal representation, but I have received a cable from home which I think I should submit to the Committee.

There is a community in Assam known as the Ahom community. The Ahoms were the rulers of Assam before the British. The Ahoms have got an Association which they call the Ahom Association. The President of this Association has wired that generally the Association do not approve of communal representation but that if communal representation were to be retained, the claims of the Ahoms might be considered.

I hope, Sir, that this may be noted.

Chairman: That will be entered in the record to be examined.

Paragraph 6 noted; paragraph 7 noted; paragraph 8 noted. 9, noted. 10, noted. 11, noted. 12.

Mr. Jayakar: On 12, I want my point to be noted that I am for leaving this matter free for the future Government to develop proper conventions in the matter, and I am sure if freedom is given to them proper conventions will develop in course of time. I am against making any such provision beforehand.

Chairman: That is noted. 12, noted. 13.

Mr. Jayakar: Sir, on this point I submit that my points should be noted, that although the Public Services Commission may be given this direction, there should be a definite time limit after which selection on racial grounds should be stopped.

Chairman: Nothing can be done here which is inconsistent with the main Report of the Services sub-Committee itself.

Mr. Jayakar: That can be considered, Sir.

Chairman: Yes. Now 14. On 14, the members of the Committee will remember that a little matter was left over for

nothing. I understand that in the interval those who have been specially interested—Mr. Chintamani and Sir Hubert Carr and two or three others—have met, and have come to an agreement. The Secretary of State, if you desire it, will read the words of the agreed text.

Sir Hubert Carr: I should like to have a word on that. It was drafted in a hurry, and I should not like to commit myself to it.

Mr. Wedgwood Benn: In some respects this draft is more favourable to the European mercantile community than the existing draft. In some respects it meets the objections which were raised by Mr. Chintamani and others. I will read it: "It was agreed"—that is the first change; "it was urged" was in the Report—"It was agreed that the rights of the existing British mercantile community should be guaranteed, and that for the future, by means of a commercial convention or otherwise, the rights of the British mercantile community in India should be guaranteed as being equal to those enjoyed by Indian-born subjects of His Majesty on the basis of reciprocal right to be guaranteed to Indians in the United Kingdom." Then follow the other words relating to criminal trials, which are not relevant.

Mr. Mody: I have a word or two to say on the subject. I warmly support in general the principle that there should be equality of treatment between the subjects of His Majesty. As a matter of fact, I have had to fight in the last few months very strenuously for the rights of the British section of the industry which I represent, and therefore I would be the last person to say that there should be anything but equal commercial treatment for all communities residing in India. But, Sir, there is one important qualification, and I do not see it even in the improved draft which has just been read out to us by the Right Hon. the Secretary of State, and that is, that while the principle of equality of treatment must be definitely conceded, it must be subject to the paramount consideration that Indian interests should be first. For instance, there may be certain key industries for which it would be necessary to lay down certain qualifications. This principle has been accepted by the Government of India themselves. Two or three years ago the question came up of the conditions which should be imposed on companies which may come into existence in future which would desire to operate the Air Mail Service, and I think, with the full concurrence of the Member representing the Government of India it was laid down that so far as companies operating air mail services were concerned it was necessary to lay down that a certain proportion of directors, a certain proportion of shareholders, etc., should be Indian. Now, Sir, so long as that is understood, so long as it is realised that in certain key industries and national services it will be necessary to depart from the principle of strict equality of treatment, I have nothing to say; but the words that were read out do not convey that impression, and I

therefore want to make it clear that in certain essential respects it may be found necessary to impose special conditions with a view to safeguarding important national interests. That is the qualification which I would like to impose, and barring that I am in entire sympathy with the general principle.

Mr. Jinnah : May I say a word that so far as I am concerned I have just heard the clause being read, and I was not able to grasp the significance of it, but I can assure this Committee that I have always maintained that the Europeans in India should enjoy the same rights, the same privileges and the same protection that every other subject of His Majesty will be entitled to under the new constitution. I shall be only too glad to meet the Europeans in India in every reasonable way I can to give them a complete sense of security as regards their position in India; but I am not prepared to commit myself to this clause, because I have not applied my mind to it, and I do not know, Sir, whether in that clause you have introduced this last paragraph. "It was agreed that the existing rights of the European community in India in regard to criminal trials should be maintained." Is that there? I did not catch it.

Chairman : Yes, it was kept in.

Mr. Jinnah : Well, Sir, I should like to reserve my opinion on that point, because it raises a very big issue, a very big issue indeed. Knowing, as I do know, the penal laws and the criminal laws of India, it raises a very big issue. It has been a very vexed question, but I will say no more except this, that at the present moment I am not prepared to assent to that.

Mr. Jayakar : Sir, with reference to this clause I would point out that I am in favour of the principle that in the future Government of India and in our constitution, the British commercial community should not be penalized by any discriminatory legislation as regards their trade and commerce, but should enjoy the same rights and privileges as the Indian commercial community has. I have not had the time or the opportunity of considering in detail the wording of the clause just read to us by the Secretary of State, but if it goes beyond that principle I reserve to myself the right to consider how far it should be allowed. I want also more time to consider how far Europeans should be affected by the ordinary criminal law of the country. If it is intended to give to the European community for a time a protection in this sense that in matters of criminal law and procedure they will not be tried in the ordinary way in which an Indian would be tried, but that they will have some special privileges that matter will have to be considered very carefully.

Sir Tej Bahadur Sapru : May I be permitted to say one word. So far as the principle involved is concerned it is perfectly sound and I am in entire sympathy with that principle. Of course,

questions of interpretation and questions of application to particular facts are bound to arise in future, and you cannot give a decision in advance; but with regard to the principle of the security of the rights and interests of the European community I will only say that what I am saying now is not said for the first time, but that was the view adopted by the Nehru Committee's Report.

You will find there that not only myself but the leaders of the Congress group definitely provided this:—

"As regards European commerce, we cannot see why men who have put great sums of money into India should at all be nervous. It is inconceivable that there can be any discriminating legislation against any community doing business lawfully in India. European commerce like Indian commerce, has had to bear in the past, and will have to bear in the future the vicissitude inseparable from commercial undertakings on a large scale, and no government in the west or anywhere else has been able effectively to provide a permanent and stable solution for conflicts between capital and labour. If, however, there are any special interests of European commerce which require special treatment in future, it is only fair that in regard to the protection of those interests, Europeans should formulate their proposals and we have no doubt that they will receive proper consideration from those who are anxious for a peaceful solution of the political problem."

I approach the whole question in that spirit, and if the formula is agreeable to the European community it must be acceptable to us.

With regard to the criminal law, I will only remind Lord Reading that in his time the question was taken up, and a Committee was appointed of which I was the Chairman. We carried on protracted negotiations on behalf of the Government with the European community in Calcutta. The position so far as the criminal law of the land is concerned is now radically different from what it used to be under the Criminal Procedure Code, and I have reason to believe—I may say so in the presence of Lord Reading, for I think he will be pleased to hear it that the law which was passed at that time has been, according to the opinion of competent authorities, working quite satisfactorily.

Now, under the law as it stands at present you do not bar the jurisdiction of the Indian magistrate. There are certain special methods provided which have been agreed to, and I should not like to disturb that law at present. That is my position.

I had the greatest difficulty in persuading the European community in Calcutta to accept this, but the European community, after consulting very competent legal advice, definitely agreed to these proposals, and I should be very sorry indeed if we now in any way sought to disturb those proposals, which are embodied in the law of the land.

formula that has been agreed to, at any rate by some people, in consequence of the decision of the sub-Committee this morning.

Lord Reading: But it changes the sense of it. I am not concerned with the words so much, but with the sense, and the words which the Secretary of State has read out are to me not nearly so satisfactory as the words we had before, because the sense has been changed. I do not know whether Sir Hubert Carr agrees to those words.

Mr. Wedgwood Benn: May I ask Lord Reading whether he is referring to the last sentence, which relates to criminal trials?

Lord Reading. No. On the last sentence I have not a word to say in addition to what Sir Tej Sapru said. The substance of that we stated to the sub-Committee, and I agree to that. What I am on are the words relating to the commercial treaty.

Chairman: Let us clear up this point. The point is this. Does the adjective "existing" refer to rights, or does it refer to the community: that is the point, is not it?

Lord Reading: Yes.

Sir Hubert Carr: That is the point, and the Secretary of State will remember we have been trying to get this thing through in an amazing hurry, in view of the tremendous interests involved, and I never even saw the draft. I find the word "existing" has been changed from applying to rights to applying to the community, and that is so big an alteration that I do not think I can possibly accept it. It is the existing rights that we want.

Lord Reading: May I ask the Secretary of State this. Is it really intended that the European who comes into India a day after the constitution comes into effect is not to have the same rights as a European who had been there hitherto?

Mr Wedgwood Benn: No, not at all. The first thing this draft does is to secure the rights of existing people without question. That is the first thing; there is no question about that. As to the future, the rights of the British community hereafter will be secured by a convention on the basis of reciprocity. That was their own proposal, so that as regards the existing people they are absolutely where they were, guaranteed as regards the future; they are to be secured by a convention negotiated on the basis of reciprocity. It was their own suggestion, and I do think that will meet the case.

Sir Hubert Carr: I am sorry to have to refer to this, but when I put this forward first in the sub-Committee it was wholly an amendment to preserve our existing rights, not as a way of bartering future rights. I do not think for one moment that I could

get my community to agree to such a proposal as is now put forward; our rights in the future must be the same as our rights in the past, and it is the method of securing those rights which appeals to us particularly, because in the method I have suggested we recognise the present status of India. Instead of asking for a legislative provision I have suggested such an agreement as exists in other parts of the Empire. But the existing rights of the British community is what I would not possibly leave to be a matter of future negotiation.

Sardar Ujjal Singh: Would it meet the case if it were: the existing rights of the existing British community.

Chairman: I was going to say that this Report is in a different position from the other, and therefore I am giving more latitude for negotiation with regard to it. You cannot be bound by it. Therefore, as it is now ten minutes past one, we shall have to ask that those who have been negotiating this might meet again and bring it up immediately we resume after lunch.

(At 1-12 p.m. the Committee adjourned till 3 p.m.)

Chairman: We adjourned upon the question of a draft of Clause 14 of the Minority Committee's Report. I will ask the Secretary of State to report to us what has happened in the interval.

Mr. Wedgwood Benn: Mr. Prime Minister, I read out before lunch a form which I had an opportunity of discussing with some members of the British Indian Delegation. That form has been examined by Sir Hubert Carr and Lord Reading, and in substance it is accepted. There are one or two verbal alterations to which I will draw special attention when I read it, but it is the form which you, Mr. Chairman, and I looked at after lunch.

It reads as follows: "It was agreed that the rights of the existing British mercantile communities, firms and companies"—these are new words, but it is merely definition—"should be guaranteed, and that for the future by means of a commercial convention or otherwise the British commercial rights in India should be secured, giving equal rights to those enjoyed by Indian born subjects of His Majesty on the basis of reciprocal rights of Indians in the United Kingdom."

That is the form which I understand Sir Hubert Carr would find acceptable and which we have discussed between us.

Mr. Chintamani: The addition of the words "firms and companies" is entirely in accordance with what I meant, and I have nothing to say against it.

With regard to the latter part of that clause, however, I have to utter one word of explanation. It has been pointed out to me by Mr. Mody, who spoke before the Committee adjourned, that the meaning is not brought out by those words absolutely clearly.

What I had in mind was this, that it should not be a statutory obligation of the future Government of India to conclude such a convention. The advice or direction given in this clause should be understood to be without prejudice to the power of that Government as and when and how they may deem fit to accord such protection to Indian industry as they may deem to be necessary. It is without prejudice to that that this should be read. When there is a convention it will be on the footing of equality and reciprocity. But it should not be the duty of the Government to conclude such a convention.

Sir Hubert Carr : What Mr. Chintamani now says, as I understand it, is that he wants to keep the right of discrimination for the future.

Mr. Chintamani : I explained this to Sir Hubert Carr when we met outside before lunch. That is why I did not agree to the original clause. I thought myself that my meaning was brought out by this, as this did not impose an obligation upon the Government to enter into a convention. It was pointed out to me that it was somewhat ambiguous, and therefore I thought frankness required that I should state my meaning clearly.

Mr. Sastri : It is the right of every people to protect national industries and national enterprises from being killed or weakened by undue competition from non-nationals. That right must be secured in any constitution. If this goes against it, I am not sure it does, I am not a lawyer—it certainly is open to exception on that ground, for people must be secured the right of protecting their national enterprises and industries from undue competition.

Lord Reading : I do not think there is anything in this that prevents any action which may be taken by the Government against competition from outside; but surely it is not intended, as I understood the speeches which were made, to introduce any form of discrimination between the rights of Indian-born subjects and of British subjects who are trading in India. That will stand on the same footing, except for the future there will have to be a convention; but up to now the existing rights as they stand at present will be guaranteed for the time being; then for the future there shall be a convention. That is what I understood. I do not quite follow what the objection of Mr. Sastri to that is, because it is on the basis of what was stated before, that no discrimination was intended to be made between Indian-born subjects and British-born subjects who were trading in India.

Mr. Sastri : Who are trading in India?

Lord Reading : Yes, or who may trade in India. You do not draw any distinction between a British trading company or firm in India, whether it is in existence now or may be in existence in the future.

Mr. Chintamani: If it had been my idea that the position with regard to businesses to be established in future should be identical with that of businesses already in existence in India there would have been no point in my not having agreed to that. It is because I draw a distinction that I raise the objection. Existing businesses must be absolutely guaranteed against any measure which by any stretch of language might be described as a measure of spoliation; but with regard to future businesses, it should be without prejudice to the future Government of India to take such measures of protection with regard to Indian industries as it may deem to be necessary. If, for example, the Report of the External Capital Committee, which Committee I believe was appointed when the Marquess of Reading was Viceroy, and which Committee made certain recommendations which have not yet been accepted by the Government—suppose those recommendations are carried into law by the future Government of India, this clause should not be such as would disable that Government from taking that step.

Sir Hubert Carr: Would Mr. Chintamani tell us to which clause he is referring in the Report of the External Capital Committee?

Sir Phiroze Sethna: We have reason to thank you, Sir, for giving us breathing time to consider the amended draft of paragraph 14. That draft has been further revised by the Rt. Hon. the Secretary of State as read out by him. In the original draft of the Minorities Report which was sent to us, the words read: "On behalf of the British commercial community it was urged . . ." This morning the point was raised that instead of the word "urged" the word "agreed" might be substituted. Much hinges upon this one word. If we did not rise at that time in the Minorities sub-Committee to say anything against what was urged by Sir Hubert Carr, it was because we never anticipated that the word "agreed" was going to be put in this final Report. Had we had any such idea we would certainly have expressed our views at that time.

I entirely agree with what fell from Sir Tej Bahadur Sapru when he quoted from the Nehru Report this morning. There is no intention of any sane Indian to do any harm to British interests. Speaking for myself I am connected with many non-Indian concerns, and I also happen to be a Director and Chairman of companies in India which are controlled by Europeans. At the same time, this Committee cannot forget and ignore the points raised by Mr. Mody this morning and by the Rt. Hon. Mr. Sastri to-day, namely, that in basic industries nationals must be protected. It is that which makes us oppose the word "agreed," for if that word "agreed" stands as it is put down in the paragraph, it will imply that we have agreed that at all future times all vested interests must be opposed, and this paragraph will be flung in our faces.

Sir, I am sorry that nobody has perhaps had the courage to refer to the particular matter which is at the back of their minds. It is

other minor matters. All the suspicion that has been created is due just to one Bill, namely, the Coastal Reservation Bill. According to that Bill, the movers of that Bill intended that the coastal trade should be confined to bottoms owned by Indian companies. Against that, the British element consider that that is going against the vested interests of British concerns which are running this coastal trade to the very great advantage of themselves, and who in the past have crushed any Indian enterprise trying to oppose them. I do not propose to go into the details, or into the merits or otherwise of that particular question. What I want to point out is that that is a vested interest which was created by discrimination in favour of Europeans against Indians in the past. If that is admitted, then is it not open to the Government of India to-day to adopt measures whereby nationals may take a larger part in the basic industries and businesses of the country? That is the fear at the back of our minds, and I would not be surprised if Europeans also have that in mind—that if the word "agreed" is not put in here it would be open to us to raise this question once again. I certainly think that this question ought to be taken up, for if it is not it will upset the settled policy of the Government of India. Have not the Government of India, with the concurrence of the Secretary of State, already agreed that all railway contracts, when they fall due, and although they are company-managed to-day, will all be managed by the State, and taken over by the State? If this paragraph stands as revised by the Rt. Hon. the Secretary of State, then it means that you upset that policy as well.

Lord Reading : No, no.

Sir Phiroze Sethna : It should be open to the Government of India, therefore, to discriminate, if they so desire to do; but I assure my British friends that no sane Indian will discriminate in a manner which will harm the existing interests in the country. I have only referred to one instance, and that is the instance which I am sure is contemplated not only by our side but also by our European friends. It is for this reason that I say that because we have left many other matters vague we would lose nothing by using the word "urged," as originally drafted, instead of the word "agreed." That will settle the matter, and that is very necessary, because we cannot, knowing the views of Indians on this particular question, agree to this as a settled fact. This must be kept an open question, and must be decided upon by the framers of the Bill after they have heard both sides.

That is all I have to observe, Sir.

Mr. Jayakar : I think there is considerable risk in stating the formula in the form of a concluded agreement here. I can quite understand certain considerations being urged, and explored—for instance this principle that the British mercantile community's trading rights are to be equal with those of native-born Indians on the basis of reciprocity, and have to be guaranteed. As a principle

that is all right; but if we are going to reduce it to the form of an agreement, may I point out that this agreement will not bind anybody not represented here, and, therefore, the value of this agreement is very small; and secondly, if you come to adopt the phraseology of a concluded agreement it has to be very precise. It has a value as an agreement only if every word is carefully selected and its import defined and interpreted. I submit that having regard to the very short time at our disposal we should record here nothing in the form of an agreement, but merely adopt a principle, subject to such variations as may have to be accepted later on in conformity with future requirements.

Chairman: What do you say to that, Sir Hubert Carr?

Sir Hubert Carr: I think we are getting on to a wrong basis about this. I can assure Sir Phiroze Sethna that when we drafted our amendment to the Report there was no particular idea with regard to coastal traffic or any other trade. What I tried to make clear this morning was that this Conference opened with a declaration with regard to the intention of the future constitution towards our community which was all that we hoped for; but, as I tried to make clear in Committee, it would be of the greatest value to our community and to myself as getting backing for the Report which we are going to issue, if I could get a declaration of your intentions, provided they were on the lines of what was said by those three gentlemen who spoke, and it was with that intention that I brought forward this question of agreement. I did not think that there was any doubt, I hoped I was not putting in a disputable point, when I suggested that our commercial rights should be agreed to—I mean their protection—because frankly, Gentlemen, our commercial rights are not open to negotiation. Those rights we cherish, and they are not open for negotiation, but we did want to make it quite clear—and I am speaking frankly—that we wanted to secure those rights against interference not by applying for special legislative provisions, but by asking you to give us your moral influence to the suggestion that they should be secured on an agreement of a reciprocal nature. To us it would be far more satisfactory, because, after all, commercial relationships, our commercial connections, are worth nothing without good will. We do not want to have to ask for them to be secured by legislation so much, but rather that there should be an agreement between us. If there is that agreement between us we shall know where we are.

I do not wish to press any particular wording. The Prime Minister has great difficulty in getting these things through, I am sure; but I do want to make it quite clear that our commercial rights, as they exist to-day, are not open to negotiation. When it is suggested that in the future we may not be allowed to participate in the development of new industries I frankly cannot agree to that.

Sir Hubert Carr: If we come out to India and are recognised as citizens, we have our voting rights, we have our constituencies and it is quite impossible to ask us to accept a position where Government may interfere and say: "Well, you are exporting food-stuffs; you must have 50 per cent. Indian Directorate." It is not a matter of colour, it is not a matter of race; it is simply a matter of our being out there; we accept all Indian aspirations with regard to tariffs; we have nothing to say against them; but if within that tariff wall we are working, we do demand exactly the same rights as Indian-born British subjects.

I cannot make the matter clearer than that, and any wording which can give me that assurance from yourselves—I know it is not binding; we are not making an agreement; we are not drafting a Bill—will have very great influence on the future, and it will certainly make my community, whose attitude you know, take a very much more sympathetic view with regard to the political move forward which we are making in the constitution.

With that, Mr. Prime Minister, I must leave the wording to you, and if that draft which the Secretary of State has read out is not acceptable, I am perfectly open to consider any other which will secure my rights.

Mr. Mody: There are two things which ought to be made perfectly clear. One is that there is not the slightest intention on the part of anyone to touch the ordinary commercial rights of the British community in India. The other thing is that there may be certain basic industries in which it may be found necessary to provide special safeguards or make special provisions. I have already stated this morning that the Government of India themselves have accepted the principle when they laid down certain conditions for all companies operating air mail contracts in the future.

In order to reconcile these two things, therefore, only a general formula will be found to be suitable, and my opinion is that it will meet the case if you say that subject to such provisions as may be found necessary in special cases there shall be complete equality of treatment between the various classes of His Majesty's subjects residing and trading in India. That is a formula which should prove acceptable to both sides. It would assure to the British and other communities complete equality of treatment with regard to all ordinary matters, and it would assure the Indian community that their interests would be considered first where national interests are concerned. I submit that formula for your consideration.

Chairman: Would that formula suit the British Delegates here?

Lord Reading: No, a formula which was subject to certain exceptions would be wholly unacceptable. It is worthless; it says this is to be subject to certain exceptions.

Mr. Mody: I said "Subject to such provisions as may be found necessary in special cases".

Lord Reading: That will not do.

Mr. Jinnah: Why not accept Sir Phiroze Sethna's proposal, and instead of saying that this was agreed, say "On behalf of the European community, it was urged . . . . (*a*), (*b*) and (*c*)", and leave it there, because it will be in the report? As you have said, there are many things on which you cannot get agreement. You cannot get agreement on a question of this character, and therefore if you say "urged" instead of "agreed" that will leave the point very clearly for careful consideration

Chairman: I am afraid it is impossible to get an agreement here and at this meeting. I was hoping something might have been done during the luncheon interval to get that agreement, but apparently that has not been possible, and the discussion which has taken place since we resumed has not provided a formula or a method of expression which is agreeable.

There is one suggestion I would place before you for consideration, namely, that paragraph 14 be asterisked. It should be printed as it is, but an asterisk should direct attention to the debate which has taken place up to now. The report of what has been said should be published as a footnote to paragraph 14, and a further additional note should be made that in view of the shortness of time still remaining it was impossible to agree to a form of declaration. That leaves it open. I know it is not very satisfactory, but I doubt if you can get anything more satisfactory under the circumstances.

Mr. Mody: That will be quite all right.

Sir Hubert Carr: We would accept that too, but I am afraid I would have to make it clear that whatever my personal views and sympathies may be, and whatever my colleagues have felt about the whole of this question of moving forward, I could not pledge my community's support to it if any doubt is going to be thrown by a friendly Conference of this kind, on the position of our future commercial rights. I could not speak for my community in backing up the whole scheme in those circumstances.

Lord Peel: This is a very important and serious matter indeed, and I am very sorry that some agreement cannot be arrived at; but, if these statements appear, I suppose it would be clear that this suggestion which Sir Hubert Carr has made, and which to my mind is a very reasonable one, is definitely opposed by some of the British Indian speakers here.

Mr. Gavin Jones: In the Federal Structure sub-Committee I agreed on behalf of my community, to the transfer of responsibility

to a Legislature on the understanding that our safeguards were introduced into the Act. For our small community we consider this to be vital, namely that we Britishers who go to India and are resident in India should be treated as if we were Indians in all respects in regard to law and everything that is done in India, and that we should not in any respect be treated as foreigners. Remarks have been made in regard to various industries such as the shipping industry. In the Assembly we should not have raised great opposition to the Bill which was introduced in that connection if it had been a reasonable one; but when you have a Bill brought forward which brings in racial discrimination in that way—that all the crew shall be Indians, all the officers Indian and 75 per cent. of the directors Indian—it shuts out British residents in India altogether. We want it definitely laid down in the Statute that that kind of thing cannot be done, and I think that is a very reasonable demand. It is a demand that every minority community should make. We British in India should not be treated as foreigners in any way.

Mr. Joshi: We are treated as foreigners in several colonies.

Chairman: The trouble is that with the time at our disposal we cannot come to an agreement upon how the common ground is to be expressed in words. I do not know, Lord Reading, if, as one who has been very much engaged in this, you can contribute a suggestion?

Lord Reading: All I can say is that we might try over the week-end to see whether anything can be done, but I am not very hopeful about it because, as the debate has developed, it has become clear that it is not a question of drafting but a question of substance. What we are asking is that all the subjects of the Empire should be treated equally in these matters of business and that there should be no discrimination. I thought that had been agreed. I made it myself one of the essential conditions on which I expressed my desire to fall in with responsibility at the Centre. I did not think any question was going to be raised about it, and now it has arisen the position has changed. Apparently it has arisen in a somewhat acute form, because though it does not touch the past it is apparently intended that in the future there shall be discrimination or a right to discriminate. It does not seem to be of any use to negotiate at all upon that, because we are divided upon an important question of principle. I am perfectly ready to try to arrive at something if we can.

Mr. Mody: Mr. Chairman, may I suggest that the matter be left as you have suggested, unless we meet to-night and come to an understanding amongst ourselves, in which case you will allow us liberty to bring it up again. If there is no understanding and no agreement, then the matter may be left as you suggested it. But, while I agree with Lord Reading that there are certain fundamental

differences, it is possible that in the course of discussion we may come to some formula which may be mutually acceptable and I submit it would be worth attempting.

Chairman: It seems that it might be worth while; I am an outsider in the matter altogether; but it might be worth while to see whether those safeguarding expressions that have been used could be made more specific than they are, and be translated into a condition quite clearly stated which would be regarded by both sides as a reasonable condition in national policy.

Mr. Mody: That is right.

Chairman: It is quite clear that if the distinction is going to be simply a communal distinction then there is going to be no agreement.

Lord Reading: It affects the whole question.

Chairman: If there is national policy with regard to, say, key industries, supposing India wishes to manufacture optical glass which has been declared as a key industry in some countries for one reason or another, then India would be entitled to pass the same sort of economic legislation as, say, this country would be entitled to pass.

And under those circumstances Indians engaged in the industry would be in a different position from Britishers engaged in the industry, unless Britishers engaged in the industry were carrying on the industry in India.

Something of that sort. It does seem to me there is a chance of explanation of exactly what we mean. If you think it worth while to carry on that I shall certainly open Monday morning's meeting as a meeting of the Committee of the whole Conference for the purpose of finishing this Report.

Lord Reading: Either we come to an agreement or we do not.

Chairman: Either you come to an agreement or you do not; but then, if you do not come to an agreement, I wish you would be prepared to make a suggestion as to how the matter is going to be handled.

Sir Tej Bahadur Sapru: Prime Minister, may I be permitted to point out, in confirmation of what you have said, that at an earlier stage of the proceedings of the Federal Structure Sub-Committee, I suggested to Sir Hubert Carr and Mr. Gavin Jones that we might have a proper definition of "citizen". Lord Reading was not at that time disposed to agree with that; perhaps he would allow me to point out that precisely this point was raised by the European Association after the Nehru Report was published. Then the Nehru Committee met again, considered this question and felt that the

what I understood you to mean, Sir Tej; that is the whole point of it. I understood you to mean that according to your view there should be no discrimination.

Sir Tej Bahadur Sapru: It is not only my view, but the views of the men who composed that Committee, and I read out to you that particular paragraph.

Lord Reading: That is our view too.

Sir Tej Bahadur Sapru: I read out to you that particular paragraph; and may I point out to you that this was signed by Motilal Nehru, myself, S. Ali Imam, Madan Mohan Malaviya, Annie Besant, M. A. Ansari, M. R. Jayakar, Abul Kalam Azad, Mangal Singh, M. S. Aney, Subhas Chandra Bose, Vijiaraghavachariar, Abdul Kadir Kasuri. It was not merely signed by me but by these stalwart Nationalists.

Chairman: What I, as Chairman of this Committee, have got to do is to get you to agree as to how you are going to handle it, and I put the question again: Is there any use having a suspension?

Lord Reading: After what you have said, Mr. Prime Minister, I think we might meet and see if we can agree upon a formula. What Sir Tej Bahadur Sapru has been proposing seems very near if not the identical case that we require.

Lord Peel: I hope that will be done.

Chairman: Very well then. 14 is postponed. I will ask you to sit as a Committee when you resume on Monday morning. I shall not be able to give you a great deal of time, because if you have not been able to agree among yourselves, you certainly will not be able to agree here. May I ask those of you who are meeting to decide upon this, if you cannot agree upon an agreed formula, would you decide upon how it ought to be handled in relation to this Report, so that no interest will be damaged by the way that it is left. 15, noted. 16.

Mr. Shiva Rao: Sir, I want to suggest in the last sentence of paragraph 16: "Under these circumstances the claims of the depressed classes and labour will have to be considered adequately."

Chairman: I don't understand it that is going to be advantageous to labour, but that will be noted in any event. 16, noted. 17, noted. 18, noted.

That finishes the Report except for the questions which have been reserved.

(The Committee adjourned at 3-45 p.m. until Monday morning, 19th January.)

COMMENTS BY THE COMMITTEE OF THE WHOLE CONFERENCE (19TH JANUARY, 1931) ON REPORT OF SUB-COMMITTEE NO. III (MINORITIES).

Chairman: Our business to-day is in the first place to consider the re-draft of paragraph 14 of the Report of the Minorities sub-Committee. You will remember it was postponed from Friday. I understand that there has been an agreement regarding the draft and that the draft is in the hands of Lord Reading.

I will now call on him to read the agreed form of paragraph 14.

Lord Reading: As the result of a meeting we had on Saturday, the following clause was agreed to be substituted for paragraph 14 as it appears in the draft Report:—

"At the instance of the British commercial community, the principle was generally agreed that there should be no discrimination between the rights of the British mercantile community, firms and companies trading in India and the rights of Indian-born subjects, and that an appropriate convention, based on reciprocity, should be entered into for the purpose of regulating these rights.

"It was agreed that the existing rights of the European community in India in regard to criminal trials should be maintained."

Mr. Prime Minister, that was agreed except for Mr. Jinnah, who did tell me that he could not commit himself to it.

Mr. Jinnah: My position, Sir, is exactly what I stated it to be when the original clause 14 came before us. I observe that there has been a modification, but the clause as it is worded now is still so wide and so general that I regret I cannot possibly consent to it.

Sir M. Shafi: Mr. Prime Minister, the opinion which Mr. Jinnah has just expressed is of course his personal opinion. On behalf of the rest of the Mussulman group may I say that we accept the paragraph as read out.

Chairman: The question is that clause 14 as amended be noted. That is agreed.

Sub-Committee No. IV (Burma).

REPORT PRESENTED AT 3RD MEETING OF THE COMMITTEE OF THE WHOLE CONFERENCE, ON 16TH JANUARY, 1931.

On December 1st the Committee of the whole Conference set up a sub-Committee with the following terms of reference:—

"To consider the nature of the conditions which would enable Burma to be separated from British India on equitable terms, and to recommend the best way of securing this end."

The following Delegates were selected to serve on this sub-Committee, over which I was appointed Chairman:—

Lord Peel.
Mr. Foot.
Mr. Aung Thin.
Mr. Ba Pe.
Mr. Ohn Ghine.
Mr. de Glanville.
Mr. Chintamani.
Mr. Srinivasan.
Captain Raja Sher Muhammad Khan.
Mr. Mody.
Mr. Ghuznavi.
Sir B. N. Mitra.
Sir Hubert Carr.

Mr. Shiva Rao was subsequently selected to take the place of Mr. Chintamani.

The sub-Committee met on the 5th, 8th, and 9th December, 1930, and have authorised me to present this Report. The following conclusions were reached:—

(1) The sub-Committee ask His Majesty's Government to make a public announcement that the principle of separation is accepted; and that the prospects of constitutional advance towards responsible government held out to Burma as part of British India will not be prejudiced by separation.

[Mr. Mody and Mr. Shiva Rao desire it to be recorded that they cannot endorse this recommendation without qualification.]

(2) The sub-Committee are of opinion that the legitimate interests of Indian and other minorities must be safeguarded. They are not in a position to advise as to the particular form of protection these interests require. They consider that when the details of the constitution of Burma are being discussed, the fullest opportunity should be given to all minorities and to the Government of India to represent their views and to state the nature and extent of the safeguards they consider necessary. The sub-Committee consider that adequate attention should be paid to the question of the immigration of Indian Labour and that provision should be made for the regulation of the conditions of both the work and life of the immigrants. The sub-Committee also especially stress the importance of there being no discrimination as regards Indians entering Burma.

(3) There must be a financial settlement between India and Burma.

The questions are very difficult and technical, and the sub-Committee consider that they should be dealt with in the manner recommended by the Government of India in paragraph 93* of their Despatch (Cmd. 3700).

The sub-Committee also recommend that when the case has been thoroughly explored by the experts of the two Governments, the statements prepared by these experts should be laid before the Standing Finance Committees of the Indian Legislative Assembly and the Burma Legislative Council respectively, and that representatives of these Committees should be associated with the experts in the proceedings of the Arbitral Board.

The sub-Committee also endorse the view expressed by the Government of India in paragraph 86 of their Despatch† regarding "the great desirability . . . of adjusting the relations between the two countries in a spirit of reason and mutual accommodation so as to avoid as far as possible the ill effects which might arise from so great a change in long established practice". They venture to express the hope that all negotiations between the two Governments, whether in relation to the financial adjustment or to other matters, will be approached in this spirit.

(4) The sub-Committee recognise that adequate arrangements must be made for the defence of Burma after separation, but they consider that the precise nature of these arrangements must be decided in the light of expert military opinion.

(5) The sub-Committee note the fact that arrangements for the taking over of the administration of subjects now classed as Central in the Devolution Rules must be made by the Government of Burma. The sub-Committee recommend that it should be considered whether, subject to the consent of the Government of India and on terms to be arranged, the Government of Burma should continue to make use of certain scientific Services of the Government of India.

(6) The sub-Committee express the hope that it may be found possible to conclude a favourable Trade Convention between India and Burma. They believe that a Trade Convention would benefit both countries, and they think it important that separation should cause a minimum disturbance of the close trade connections that exist between the two countries.

(Signed) RUSSELL,
Chairman.

St. James's Palace,
London.
9th December, 1930.

* Annex. † Cmd. 3700.

COMMENTS IN COMMITTEE OF WHOLE CONFERENCE (16TH JANUARY, 1931) ON REPORT OF SUB-COMMITTEE NO. IV (BURMA).

Lord Russell: Mr. President, I wish to present this Report. I have very little to say to the Conference in connection with it, except that the Committee was, on the whole, very harmonious. There was a desire to discuss the principle of the separation of Burma; that, I explained to the Committee, had been decided by the decision of the Conference and by your ruling, and was not open to the Committee to discuss. But some objection was taken to the first paragraph asking His Majesty's Government to make a public announcement, to that objection was taken by Mr. Mody and Mr. Shiva Rao who desired that their dissent should be expressed. I promised to mention that in moving the Report, but I pointed out to them that, of course, I could not make their speech for them, and must leave it to them to raise it here if they so desired. I beg to move that the Report be noted.

Mr. Shiva Rao: First of all, on a matter of procedure, I want to know if members who dissent from the decisions of the majority and want to append minutes of dissent, will be permitted to do so; because Mr. Mody and I sent in our minute of dissent; Lord Russell said it could not be appended to the Report, but it would be open to us to express our dissent, if we wished to do so, at a meeting of the Conference.

Chairman: That is so.

Mr. Shiva Rao: Then I want to explain our position with regard to the first decision of the Report of the sub-Committee. I am against an immediate announcement of acceptance by His Majesty's Government of the principle of separation. But at the outset I want to make it absolutely clear that in this vital matter which concerns the future of Burma, it is the wishes of the majority of the people of Burma alone which should be the guiding factor in arriving at a decision. I am not convinced, in spite of what has been said here, and the Resolution of the Burma Legislative Council, to which I shall have to refer later, that there is such a widespread demand for immediate separation from India. It is true that the Government of Burma, in their Despatch to the Government of India on the Simon Report, and Lord Peel in his speech here, have endorsed the proposal for separation on the ground that the people of Burma want it. I am glad that there is such unanimity in accepting the principle of self-determination in deciding the political future of a country. Possibly these are some of the conversions you had in mind when you said in your concluding speech at the Plenary Session that Mr. Sastri's was not the only conversion at this Conference. I do not know if any people in India whispered into Lord Peel's ears that they wanted Dominion Status, or what his answer was. The next few days will prove whether he believes in self-determination for India, as he evidently does for Burma.

But, so far as the Burma Government is concerned, their approach is a very different one. In their Despatch to the Government of India they make the following extraordinary statement: "As long as there was an autocratic British Government in India, it was convenient to place Burma under the control of that Government and the position was accepted by the people of Burma, though from time to time symptoms of discontent did manifest themselves. But as soon as His Majesty's Government announced that their policy was gradually to establish full responsible government in India, and as soon as they took the first steps towards that end, the situation began fundamentally to change." It seems two things became clear to thinking Burmans: first that they could not exercise an effective voice in the administration of a self-governing India, and, secondly, that the economic interests of Burma and India would not always coincide, and when a clash occurred, those of Burma would inevitably have to give way. Hence, according to the Burma Government, the demand for separation has become so insistent that it would be "impolitic and unwise" to resist it. But may I ask if thinking Burmans are so ignorant of geography as not to realise that London is farther away from Rangoon than is Delhi; that they can exercise even less influence on Westminster than on the Indian Legislative Assembly; that the economic interests of Britain and Burma can never coincide? The Burmans are a logical people; if they want separation, they surely want it much more from a country which conquered them and annexed their country than from one which protested through the Indian National Congress in 1885 against the extension of the bond of subjection to Burma.

The Burma Government candidly admit that "Burman politicians of extreme political views who have refused to work the present constitution still believe that Burma would get full responsible government earlier if she remained part of British India", and therefore they wish to postpone the day of separation. But it is not only the extremists in Burma who take that view. I regret that the Despatch of the Burma Government should have omitted to record the fact that the Burma Legislative Council also passed a Resolution on the 11th August this year, without a division: "That this Council urges His Majesty's Government to grant Burma immediately a constitution securing her the status of a self-governing Dominion within the British Empire". Speaker after speaker urged that separation without Dominion Status would be of no value to Burma, and that she wants the two things together.

What is the Burma Government's answer to the main question of constitutional advance? They are not yet ready with their case, but they will submit it to a new Commission which will investigate the problem after separation has been effected. This, I venture to say, is not fair treatment either to Burma or to the Round Table Conference. What is the good of giving vague assurances to Burma that she will not be a Crown Colony and that the policy of the

20th August, 1917, would continue to apply to her? I say this particularly because of Sir Charles Innes' frank observations in a speech which I believe he delivered to the Burma Legislative Council in August of this year. Addressing his remarks to those who are clamouring immediate responsible Government, His Excellency said: "Let me advise you to study and to ponder over the long list of Central subjects in the Devolution Rules. You will find that there are more than 40 of them. Many of them are subjects of which we have little or no experience in Burma. Apart from defence we shall have to take charge of such subjects as external relations, railways, shipping and navigation, posts, telegraphs, wireless, customs, tariffs, income-tax, salt, currency, public debt, savings banks, civil law, criminal law, and other subjects too numerous to mention." Then His Excellency went on to administer another plain warning: "I make no secret of my belief that in such matters as local self-government, education, public health, and the like, standards in Burma are much too low. Will the people of Burma set themselves resolutely to work to raise those standards?" What sort of a constitution a Government, of which he is the head, will recommend for Burma, how far it will go towards giving Burma Dominion Status, it is not difficult to conceive.

I am aware that opinions in official and military circles have changed within recent years to a remarkable extent in regard to this question of separation—presumably because of the virus of responsible Government having affected India. What, however, is even more remarkable is that even the facts of history seem to have changed, for the Burma Government in their anxiety to see that the case for separation does not lack a single argument drawn from whatever source. Let me take one glaring instance. This is from the official Despatch: "Burma is an entirely separate country from India, and the Burmans are an entirely separate people. They are not bound to India by any ties of common race or common language or common sentiment." The Burma Government seem to have overlooked the fact that Gautama Buddha was born and lived and died in India, and as long as that magnificent figure in history continues to inspire the religious faith of the people of Burma, India can never be an alien land to them. But not only in religion, which after all is the dominant factor in life in the East, but even in other matters also, India and Burma have been closely related. My authority is the Census Report of 1911, Vol. IX, on Burma, Part I, para. 75: "As far back as the history of Burmese national life can be traced by means of its chronicles and its legendary lore, migration from India has been one of its most prominent and continuous features. Both the Burmese and the Talaings owe their evolution from a large number of small, wild, scattered, disunited and nomadic tribes into large and cohesive kingdoms, to their contact with Indian colonists. The earliest attempts at any form of Government beyond a mere tribal organisation were commenced under Indian auspices. The religion of Burma, equally with its system of Government, was obtained

from Indian sources. Indian influence is to be found in every branch of Burmese life, not only in its religion and its Government, but also in its architecture, its festivals, its ceremonials, and its more intimate and domestic phases. The further back, in point of time, the investigations are carried, the greater is the degree of Indian influence perceived. In view of the prevailing tendency to assume that the Burmese as a race are doomed by the modern invasions of Indians into the Province, it seems necessary to emphasise the fact that the existence of the Burmese as a powerful and a widespread race is due to Indian immigration."

That statement in the Census Report for 1911 is ample answer to the Burma Government's ignorance or suppression of the facts of history.

As I said a few minutes ago, military opinion also has undergone a process of subtle change in favour of the complete separation of Burma from India. The Montagu-Chelmsford Report observed that, for military reasons, India and Burma must be together. Even the Simon Commission saw no reason "why it should not be possible to combine political separation with satisfactory arrangements in the military sphere;" in fact, they suggested "a unified control between India and Burma" for purposes of defence. Suddenly there comes the technical advice from Sir William Birdwood—almost the last thing he did as Commander in Chief—that unified control is not necessary. The advice was tendered on broad considerations of strategy—a blessed word which covers many things. There is a passage of extreme interest in the life and letters of Field Marshal Sir Henry Wilson, which illustrates my point. It deals with an episode which took place in 1921, when Lord Reading was Viceroy. The Government of India had recommended a reduction of British troops in India by four battalions and two cavalry regiments. Lord Rawlinson appealed to Sir Henry Wilson, who was Chief of the Imperial General Staff at that time, for his assistance against this "madness", as he called it: the entry in his diary is as follows: "I have wired to Philip (Sir Philip Chetwode) to go to Montagu and to find out whether I am or am not his military adviser; and I told Philip not to be put off by being told that this was a matter of internal economy to be decided by the Viceroy in Council, because the internal security in India, the protection of her Frontiers, the power to send troops to countries outside her Frontiers, such as Mesopotamia, Burma, Singapore and Hong Kong, and finally the obligation on the Home Government to reinforce India in case of necessity were all matters interwoven in imperial strategy, and therefore come under me."

Sir, these changes in military opinion deserve close attention: first, in 1919, India and Burma must be one, politically and in the military sphere; then, in 1928, they may be apart politically but with unified military control; now, in 1930, a unified military control is not essential. It is prudent not to unfold plans too quickly. Therefore, the Government of India say in their Despatch

that they have not concerned themselves with "questions of the garrison required in a separate Burma, nor with the sources from which it should be obtained". And it seems Sir William Birdwood's advice "does not exclude the possibility of some measure of mutual co-ordination in the arrangements made for the defence of the two countries". The point that is of interest is that it does not necessarily include it. Suspicions have already been aroused that Burma is to be the base for land and air forces to safeguard British Imperial interests in the Far East. Sir Henry Wilson said: "As I said a week ago, when writing to Rawly, Montagu and Chelmsford have set up a Council with a lot of natives on it"—two of these natives are here at this table—"and have lost control; and now they dare not impose the extra taxation necessary. This same Council will before long refuse to allow Indian Native troops to serve outside of India." And then, and then, Mr. Churchill comes along and completes the picture.

As I observed at the beginning, I repeat now: let Burma be separated from India if her people really want it. But first let us make sure of it by a local enquiry that they do. The General Council of All-Burmese Associations, which I understand is an organisation as powerful and as representative as the Congress is in India, is against separation. The Burma Legislative Council wants separation and full responsible Government together. Can His Majesty's Government give that assurance to-day? Until that assurance is given it would be wrong to force separation on a Province which does not want it unconditionally. The partition of a neighbouring Province led to an agitation nearly a quarter of a century ago which proved in the end irresistible. That should be a warning, particularly as the East has moved far within that period of time.

If the preliminary enquiries in regard to separation should lead to an affirmative conclusion, then of course the other decisions of the sub-Committee must be carried out. The legitimate interests of all minorities will have to be protected in the new constitution for Burma, and arrangements made so that neither Burma nor India will suffer by separation. There must also be a financial settlement between the two countries. I want to say in this connection that, speaking for myself and, I hope for others as well, it would be wrong to ask Burma to pay the cost of the Burmese Wars. It is a thoroughly immoral doctrine to ask a conquered nation to pay the price of her conquest, and thus add financial injury to political and moral insult. The cost of the Burmese Wars cannot come out of Indian revenues: and it should not come out of Burma's revenues. And it must be understood that the adequate arrangements for the defence of Burma should be considered by a Committee, not of military experts, though they may give evidence, but by one which will command the confidence of the public both in India and in Burma.

Finally, I want to raise a very important matter, to which I invited the attention of the sub-Committee. Burma has enjoyed

for the last ten years and more, through her association with India, representation at Imperial and International Conferences. She has also been represented, in the same way, at the League of Nations. Through India, therefore, she has had an international status. That cannot be taken away from her, as it will be taken, by separation. She must be assured, in my opinion, independent representation at all these Conferences. Efforts must be made at the earliest opportunity for her admission to the League of Nations. May I remind the Conference that both in regard to Egypt and to Iraq the present Government has undertaken to support their admission to the League? A similar undertaking would be essential, in my opinion, in the case of Burma also. But above everything else, let us be sure that we are not forcing **separation on an unwilling people.**

Chairman: I did not wish to interrupt the speaker, who had carefully prepared his statement beforehand, but I must observe that that statement ought to have been made some days ago when the sub-Committee was set up. The Burmese representatives presented to us a very well reasoned case, making certain statements and certain claims. I gave the Committee at that time ample opportunity to continue the debate: I hesitated before I put the resolution: the debate was not continued. Although, of course, the matter is up in one sense to-day, I cannot allow speakers to range over the whole question of Burmese problems, giving advice as to how the Government is to conduct its affairs and what the Committee is going to do when it is set up. I would just like to warn speakers without limiting them unreasonably that they really must limit themselves in accordance with the business which is before the Committee to-day; otherwise we will have days and days upon this question. I do not know if the Burmese representatives would like to say anything, or just let it go.

Dr. Moonje: Mr. Shiva Rao has put his case very fully, and I do not propose to cover the same ground. I only desire to say that when, at the last meeting, we agreed to the principle of the separation of Burma, the information then given was not full, and it was one-sided. The only information available at that time was that given by the Burmese Delegates. I may say that I am not opposed to the separation of Burma if the people of Burma really want separation: but the information that has come to us later, after the decision was taken at our meeting, leads us to suspect that there is not such a widespread desire for the separation of Burma as was made out on that occasion. Therefore my point is that the first business of the Committee should be to make an enquiry in Burma as to whether there is a real desire, and a desire on a large scale, for the separation of Burma. If there is such a desire I will not object, but I have reason to believe, from information which has come to us in wires and cables, that that is not the case. Therefore I say that the informa-

tion which was at our disposal last time was one-sided and insufficient and therefore the decision taken was not a correct one. Therefore I support Mr. Shiva Rao.

Chairman: If you take your Report you will see (1) It is suggested that His Majesty's Government should make a public announcement that the principle of separation is accepted. Do you take note of that, and pass on? We come to no resolution here. This is just a matter for recording. The two speeches which have been made will be recorded in the minutes of this meeting.

Mr. Paul: I voted for the proposition the other day, and I continue to hold the same view; but the day after the resolution was passed in this Committee there appeared a telegram in *The Times*; "From our own Correspondent. 2nd December. New Delhi." in which a very definite allegation was made, namely, that "Sir Charles Innes, when addressing the Burma Legislature as Governor of the Province on 8th August, declared that all interests in Burma should have an opportunity of being heard on the problem before a settlement". When I voted on this I had no knowledge whatever that any such authoritative promise had been made in the Legislature. If this is true, I only ask for an explanation so that we may justify our own votes. Before the Government makes a declaration such as the first resolution warrants, I think the Conference is entitled to know what really happened in the Legislative Council, and, if this statement is correct, what opportunity will be taken in Burma to fulfil this promise.

Mr. Jayakar: I should like to point out that the Report says: "The sub-Committee ask His Majesty's Government to make a public announcement that the principle of separation is accepted." The "principle" of separation as understood on the last occasion was this. We decided that separation should take place because of the views then put before this Committee by the few speakers who took part in the debate, and we were told that it was the desire of the Burmese people that Burma should be separated from India. It was on that assumption that we expressed our opinion in favour of the principle of separation.

Since then, however, we have received several telegrams, two or three of them from bodies which have a great footing in the country. One was mentioned by Mr. Shiva Rao in his speech, and I have received two or three more. From these it would appear—I do not know where the truth lies—that the opinion that Burma should be separated from India is not unanimously held in Burma. But that was the assumption on which we proceeded, and therefore I see no conflict between our attitude then and the attitude we desire to take now. We accepted the principle of separation, the principle being that if the people of Burma desired to separate from India effect should be given to their

wishes. We accepted the separation of Burma only on the assumption that it was desired by the people of Burma. If that is now challenged I submit that in an important question like this mere technicalities should not stand in the way.

The separation of a Province like Burma from India is too important a matter to be disposed of in a few minutes merely on technicalities. With insufficient information then available the Conference took a decision which affects the interests of an immense number of people in both countries. On the last occasion, I submit, we accepted the principle of separation only on the assumption that the people of Burma desired to be separated. Nothing should stand in the way of separation if that is the case, but if we now find that different views are held by the Burmese people, I submit that the question should be considered more carefully and not decided merely on a technical view of the matter.

Mr. Ba Pe: The desire for the separation of Burma from India is a universal desire in Burma, but, as pointed out by Mr. Shiva Rao and Mr. Jayakar, there is this difference. There are those who want separation now and to get Dominion Status later on, and there are those who oppose immediate separation because they do not trust the British people to give them Dominion Status thereafter.

On August 11th last the Burma Legislative Council passed three Resolutions in succession, and these three Resolutions have to be taken together. The first Resolution refers to separation. That was passed unanimously; it was unanimously agreed that Burma wants separation from India. The second concerned the procedure to be followed after separation, namely the appointment of a Royal Commission or a Mixed Commission. The third referred to the status which Burma desires, namely Dominion Status. The three Resolutions read together mean that Burma wants separation from India because she desires to attain the status of a Dominion in the British Empire. (*A member:* "She may not.") She may not, quite so.

Those who are opposed to immediate separation are also after Dominion Status. If the first resolution in this Report can be interpreted to mean that after separation Burma is going to enjoy a [illegible] no way inferior to that which India is going to get, I think we shall get over the difficulty.

Since arriving here things have moved very fast, and the idea of Federation has been mooted. What was regarded as a distant ideal has now come within the range of practical politics. I am not in a position to say what the effect on Burma is, but if after separation Burma is not going to get at least the same status as India will get, Burma might be forced to come into the Federation. In fact, that point will have to be kept open.

I want to make it clear that while the whole of Burma is out for separation, the idea is that we should not be turned into a Crown Colony or receive a few more instalments of reform: the idea is that we should be given a status equal to that of the other

self-governing Dominions. It is really a question of the interpretation to be put upon the first recommendation in the Report. If the reference to the "prospects of constitutional advance" means that Burma will get something which is in no way inferior to what India is going to get, then there can be no objection to her separation from India.

Chairman: I should like first of all to draw your attention to the wording of (1), which I will read to you: "The sub-Committee ask His Majesty's Government to make a public announcement"—there is the effective part—"that the principle of separation is accepted". I understand that you all agree on that; you all accept the principle. (*Cries of* "No."). Just a minute; interruptions do not advance business. It says "that the principle of separation is accepted; and that the prospects of constitutional advance towards responsible government held out to Burma as part of British India will not be prejudiced by separation." That is the declaration which it is asked should be made.

Mr. Jinnah: All I have to say is this. On the occasion when the sub-Committee was formed we had not got a great deal of information which has reached us since, and information from very responsible quarters. I entirely agree, speaking for myself, that I understood it was the universal desire of the Burmese people to separate from British India, and if that is the universal desire of the Burmese people I, as representing India, cannot object to it.

However, since the resolution was passed by which this sub-Committee was set up we have had a great deal of information to the contrary; and I want to make it quite clear, speaking for myself—and I believe all my colleagues from British India will agree with me—that we have no objection to Burma being separated *provided* the people of Burma desire it. That is the proviso and as the Report of the sub-Committee stands that proviso is missing. I would therefore suggest that if the Conference is to endorse the recommendation which the sub-Committee has made it ought to be qualified. I cannot endorse the recommendation as it stands unless it is qualified by adding the words "provided the people of Burma desire it". I have no objection to H. M. Government, if they are satisfied the people of Burma desire separation, making a declaration to that effect. As it stands at present the recommendation reads, "The sub-Committee ask His Majesty's Government to make a public announcement that the principle of separation is accepted." I suggest we add "provided the people of Burma desire it".

Sir B. N. Mitra: At the last meeting of the whole Committee it was decided that the principle of separation should be accepted, and that was the reason which precluded the sub-Committee from pursuing the matter: as a matter of fact, the Chairman of the sub-Committee ruled out further discussion on that point. The terms of reference of the sub-Committee are given in the first

sentence of the Report, and make it clear that it was not open to the sub-Committee to discuss the principle of separation; i.e., whether separation should be allowed or not.

It is perfectly correct, as Mr. Jinnah says, that since then most of us have been flooded with representations from Burma. It now rests with you, Sir, and perhaps with the Plenary Session of the Conference, to decide whether, in view of these later representations, the fundamental question should not be reopened and the modification or proviso suggested by Mr. Jinnah inserted.

Lord Russell: As I explained in moving this Report, I considered it was clearly out of order for the sub-Committee to discuss the principle of separation, because that had been accepted when the sub-Committee was set up. However, the question of the feeling for separation was raised in the sub-Committee and it was discussed. It was pointed out that there was a certain number of people—I forget the exact name of the Association—who circulated documents about this, and they have since sent telegrams in large numbers, objecting to the separation of Burma, not entirely but, as has already been explained, on conditions, because they thought it might be better for Burma to wait and to be separated later on.

No evidence has been produced, however, either here or in the sub-Committee that those people are more than a very small minority of the inhabitants of Burma.

We have here the official Delegates who with a united voice have stated themselves in favour of separation. We have the Resolutions of the Council in Burma itself which are also in favour of separation, and no evidence has been brought, either here or in the sub-Committee to show any considerable minority against separation. I do not know what the important evidence was to which Mr. Jinnah referred, but if it was only the telegrams we have received lately, I think this might be to some extent discounted. But I did rule also that I thought it would be in order for those who objected to separation in principle, not perhaps to discuss it here, but to take their objections when the Report is discussed at the Plenary Conference. I hope the Committee will accept this statement as it stands. I need hardly say that the sub-Committee proceeded on the assumption that the vast majority of Burmans did desire separation: naturally, that was the assumption which was in our minds.

Mr. de Glanville: It has been suggested in certain quarters that the statement that Burma is practically unanimous for separation is untrue and incorrect. What evidence have we on which the Conference based its last resolution? First of all, we have the unanimous Report of the Statutory Commission. That Commission went through Burma from one end to the other and they were very greatly impressed with what they had seen and heard from all quarters. They came to the unanimous conclusion that the

great majority of the people desired separation. In paragraph 219 of their Report they state:

> "The motion of Burma's separation from India was carried without a division. Some may ask whether the verdict of the Council is the verdict of the country as a whole. We ourselves have little doubt from what we saw and heard in Burma that so far as there is public opinion in the country it is strongly in favour of separation, that among thinking Burmans the great majority desire separation immediately, and that it is only the elements which derive their political inspiration from corresponding Indian sources that would postpone separation from a belief that Burma's political progress may be hastened by a further period of association with India. Members of the Provincial Government whom we consulted on the point told us that the feeling in favour of separation was not inspired solely by a belief that the Burmese taxpayer was at present contributing to India more than he received, and by the hope that therefore separation would involve financial gain. They thought that Burmese opinion would still be in favour of separation even without the prospect of immediate financial advantage."

Now, Sir, that was the unanimous opinion of the Statutory Commission. They based it on the evidence that they received, and they invited evidence from all quarters. They based it not only on the evidence they received officially, but after enquiries they personally made in the country. Lord Peel has recently been in Burma, and he bore testimony to the same effect before this Conference. We who have come from Burma tell the same story, and it surprises us that so many of our Indian colleagues are impressed by one document that they have received from those who take their inspiration from the extremist party in India, and say that there is no unanimous desire for separation in Burma, or suggest that now a further Commission should be sent out to discover whether the facts stated by the Simon Statutory Commission are true or untrue. This document which was forwarded to us states, in paragraph 23: "It is true that no one in Burma believes that the Burmans would acquiesce permanently in being governed by a self-governing India." If you consider that in conjunction with the other evidence in your possession, you will find that everyone in Burma desires separation. The speakers who have opposed this Report of the sub-Committee have not, I think, personal knowledge of Burma. They set themselves against those who have, and now ask that this question of separation may be put off, and that the whole country may be upset by a further Commission to enquire into the matter. I cannot imagine anything more disastrous for Burma, or for the interests both of the Burmese and of the Indian people than to send out another Commission to Burma to enquire into a point like this which has been so clearly proved and established. I would therefore ask the Committee to accept the testimony before it and unanimously to agree to the Report of the sub-Committee.

Mr. Mody: While, Sir, I have no desire to challenge your ruling, that the principle of separation is not open to question in this Committee, I take it that it will be open at least in the Plenary Session, and that it will not be regarded as a settled fact at the present stage. All I understood your ruling to mean was that in this Committee, in view of its earlier decision, it was not open to any member to challenge the principle which had been already accepted; but when it comes to endorsing that opinion in the Plenary Session I hope that those of us who may be minded to question it will have an opportunity of doing so. If that is clear, I want to confine myself to the first recommendation of the sub-Committee:

"The sub-Committee ask His Majesty's Government to make a public announcement that the principle of separation is accepted and that the prospects of constitutional advance towards responsible government held out to Burma as part of British India will not be prejudiced by separation."

As a member of the sub-Committee, who has sent in a note of dissent, which note has not been circulated, so that my colleagues at this Table are not aware of the grounds on which I have thought fit to dissent from the recommendation, it is necessary for me to say a few words. I am entirely against making any premature announcement of this sort, and therefore if any decision is to be taken to-day I will oppose the motion. My grounds are two-fold. In the first place, if such a declaration is to be made, it must be coupled with something much more definite in the way of a declaration of the status which Burma is going to enjoy after separation. I raised the point in the sub-Committee, and I repeat my objections here, that it does not do simply to ask Burma to be satisfied with a vague assurance that the prospects of constitutional advance towards responsible government will not be prejudiced by separation. Both Burma and India are entitled to have something much more definite than this and I put forward a certain suggestion which was not accepted by the sub-Committee.

It might well be urged that this is a matter entirely for Burma, and that it does not matter to anybody in India what particular form of government Burma should enjoy. If the question was merely one for Burma to decide I would have nothing to say, but we in British India are asked to make ourselves parties to this decision and therefore I have every right to express an opinion with regard to the sort of constitution Burma should be given after separation. It is a matter of vital importance to India. I do not suggest that Indian interests should be allowed to dominate the Burman point of view, but India should certainly know what sort of constitution is to be given. Indian interests may feel themselves perfectly safe with a self-governing Burma, because the two governments of India and Burma may sit down and hammer out solutions of the various questions that will come up when separation becomes effective. But India may not be equally safe with any

and every form of government that Burma may have, and therefore some assurance, even from the point of view of Indian interests, is very necessary. Much has been made of the fact that what is being done is because of the overwhelming feeling which is supposed to prevail in Burma with regard to the question of separation. I should like this Committee to note that if there is overwhelming feeling in Burma on the question of separation, there is an equally strong feeling that after separation Burma should have some form of Dominion Status. While the two Resolutions of the Burma Council have been quoted to us repeatedly, the third Resolution has not been given the same publicity. That third Resolution was passed on 11th August, and urged His Majesty's Government to grant Burma immediately the status of a self-governing Dominion within the British Empire.

I will quote no less an authority than that of U Ba Pe, the representative of Burma at this Conference. This is what he said in the Legislative Council: "All these three motions are inter-related, and if the Government is keen on one and opposed to the other it will not suit the wishes of those on this side of the House. Either accept all the three or reject them. Separation without Dominion Status is of no value to us . . . we want separation and Dominion Status together." I was not aware of this when I placed my point of view before the sub-Committee, but this categorical declaration of U Ba Pe lends emphasis to my argument that if you are going to make any announcement you must couple with it a declaration that Burma will get Dominion Status.

I have another objection to any premature announcement. We have been here now pretty nearly a month, and we have come to no decision on any question of importance relating to the affairs of British India, and we are asked at this stage when everything is in the melting pot to commit ourselves to a definite declaration relating to just one problem. I have very grave objections on the score of procedure to proceeding in that way. My point is that if a declaration is to be made at any stage it must be made when some definite conclusions have been reached with regard to the main demands of India. Although I, and I think every single member around this Table, will heartily wish it may not come true, it may be that the only constructive piece of work this Conference has done may turn out to be the separation of Burma, and as my friend Mr. Chintamani observed, in a private conversation, "when we get back to Bombay and are asked whether we have got Dominion Status, we may have to answer 'No, but we have separated from Burma'." Therefore, Sir, I feel very strongly that no declaration of any sort affecting such as a vital matter ought to be made until we are more clear in our own minds as to what is going to happen to the main demands of India. If you do not object to my reading a telegram which seems to have been sent to various people this morning, I would like to say that these objections of mine, which have been briefly embodied in my minute of

dissent, are endorsed by the General Council of Burmese Associations in an emphatic manner. The telegram which I have received says: "The Committee of the General Council of Burmese Associations congratulate Messrs. Mody and Shiva Rao for the attitude they have adopted in dealing with the separation question and warmly support their point of view. In the opinion of the Committee mere repetition of the 1917 declaration is not enough, as it is well known that it is open to various constructions. The question is not of a certain form of responsible Government but of the status of a Dominion similar to that of India. Even such a declaration cannot prevent detraction of the international status of Burma as separation will automatically result in loss of membership of the League of Nations, International Labour Conference and International Court of Justice. It is therefore essential that Burma should be guaranteed not only Dominion Status within the Empire but its present international status must be adequately safeguarded, otherwise Burma will irretrievably lose even that position which she enjoys to-day."

Sir, for these reasons, which I have endeavoured to put as briefly as possible before the Conference, I am opposed to any declaration being made in the manner and in the terms in which the sub-Committee have framed their recommendation.

Sir C. P. Ramaswami Aiyar: Mr. Prime Minister, I do not desire to travel over the wide ground covered by the previous speakers, but in relation to what fell from one of the speakers representing Burma, I may point out that I have received telegrams not only from this Council of Burmese Associations, but from important commercial interests on which Indians are represented. It may no doubt be stated that these commercial interests take an Indian, as against a Burmese, point of view; but that is not so; they are responsible men who have stated definitely in their telegrams that opinion in Burma is by no means unanimous; and, having heard what has fallen from the Burmese representation, I have now come to the conclusion that the Burmese demand for separation was conditional on the attainment of Dominion Status. We, the representatives from India, are thus placed in a very difficult position. We should desire to know exactly what Burmese sentiment is, and whether that sentiment has taken into account all these objections. It is for that reason that I desire not to record a silent vote, but to make it clear that it should be ascertained that Burma actually does desire separation, with a full understanding of the implications of that separation, before this question is finally decided one way or the other.

Chairman: Now I think we have heard very admirable statements for both sides and all considerations have been brought to bear upon us. If I may, from the Chair, just remark about telegrams, I do hope that this Conference is not going to be swayed by telegrams; because otherwise I have got telegrams against every

one of you. There is not one of you who has taken up a position, which has been either accurately or inaccurately reported—and I sympathise with you, because mostly it has been inaccurately—but I have received telegrams asking me to regard you as being non-representative of what you say you do represent. What we shall have to do is to make up our minds and to take our own responsibilities upon us, whatever we do.

Now the question that is before you is this: not that you accept this finally, but that you note it; and the paragraph which you are asked to note and pass on for consideration and study in the light of what you have said to-day is paragraph No. 1—that that paragraph be noted. The object of noting is that it is recorded in the minutes as being noted.

Maulana Muhammad Ali: I should very much like it to be noted also that we strongly object to any declaration being made by His Majesty's Government and to say that the consensus of opinion of the Conference at this point is that His Majesty's Government should make no such declaration. I think that is very emphatic and very clear.

Chairman: If you wish that noted and indicated, we shall have to do it.

Sir Samuel Hoare: What does it mean exactly?

Chairman: That they do not want any statement to be made; that is the effect of this proposal. I do not take that as being the general opinion at all, but that is the effect of the proposal, that it should also be recorded that this Committee does not wish His Majesty's Government to make that declaration. There is no date attached to that statement; there is no instruction that to-day, or to-morrow, or the next day, the statement should be made; please note that. It is merely a recommendation from the Committee that His Majesty's Government should not make the statement. Now do you wish that record to be taken, that the Committee does not wish His Majesty's Government to make the statement either now or at any other time?

I do not like to divide you, because the nature of this Conference prevents divisions. Is it necessary that that note should be taken, if the explanation is given that as a matter of fact if this is noted, as it has come up to you, it does not mean that His Majesty's Government at present should make a statement? His Majesty's Government is not at all likely to make statements until it knows that the whole of the facts have been considered, and some sort of final opinion has been expressed.

Lord Reading: Prime Minister, may I ask one question before you do that? Are we to understand, as I thought I had from you, that notwithstanding that we note here to-day at this Committee the recommendation that is being made, no action will be

taken upon it until after there has been a Plenary sitting of the Conference which determines it one way or the other. If that is right, as I understood you to say at first, surely it is not necessary for us to have an interim Report that we do not require to do a thing which is never going to be done until we have had the opportunity of discussing it at the Plenary Conference.

Chairman: I am very much obliged to Lord Reading. That is, of course, precisely the situation: that what you are doing here to-day is not coming to final decisions, and passing final resolutions which we place on one side, and that then I refuse to allow you to have it re-opened at a Plenary Session: that is not the position. The position is that to-day you just pass this raw material from your sub-Committees, and when the Reports are all co-ordinated and the Plenary Sessions begin, then you can look after the operative part of it. What Lord Reading has said in the form of a question is precisely the position in which you find yourselves.

Mr. Jinnah: Then will you make it clear as your ruling on the record that nothing that is noted here will constitute a decision until after the Plenary Session of the Conference has decided?

Chairman: Yes. This is my ruling: that what passes to-day under the expression "it is noted," is not a decision of the Conference, and that nothing can become the finding of this Conference until it has been considered by a Plenary Session. Then is that clear?

Mr. Jinnah: And the Government will make no announcement in the meantime?

Chairman: I want to get confidence, and it is no use putting these questions. How can the Government make an announcement with the authority of this Conference, after the ruling that I have given, until and after the Plenary Session has dealt with the subject?

Mr. Mody: May I, with great respect, submit to you that, even as a provisional statement of the case, this would be misleading. I quite understand you, Sir, that liberty will be reserved to every member of the Conference to subvert this if he wants to at another stage; but, even as a preliminary statement of the case, it is not correct as a decision or as a note of this Committete, because we are objecting first of all to any declaration; we are objecting to the terms in which the declaration is to be made.

Chairman: The point is this: Do you object to the accuracy of this statement, not as your opinion, but as the Report of the sub-Committee, because that is what you have got to do to-day? That this should be noted as a Report of the sub-Committee. Now surely you all agree to that?

Dr. Moonje: It would be more correct to have it noted along with this dissenting note: then it will be a full and correct version of the sub-Committee's Report.

Chairman: All that you have said to-day will also be noted, and is noted already, and will appear in the record of this meeting.

Dr. Moonje: The point is why should it not go with this Committee's Report?

Chairman: But that is altering the Report of your sub-Committee. All you have got to do is to note the Report of your sub-Committee. I am sure you all agree with that: that the first section should be noted. That is agreed to.

The second section deals with details regarding the protection of minorities, regarding which, I understand, there was unanimity. That that be noted. That is noted.

"(3) There must be a financial settlement between India and Burma," and there is a proposal as to how the operation should be carried out. That that is noted. That is agreed.

"(4) The sub-Committee recognise that adequate arrangements must be made for the defence of Burma," and so on. That that be noted.

Mr. Shiva Rao: With regard to (4), I raised a question in the sub-Committee and we were assured it would not be decided by expert military opinion, but only that expert military opinion would be consulted on the question. I think that should be made clear.

Lord Russell: It says: "must be decided in the light of expert military opinion."

Chairman: Is not that clear, Mr. Rao? It is not to be decided by expert military opinion, but is to be decided in the light of expert military opinion. If you like a record to be made, as is now being done, that that is taken to mean not "by" but—what is your expression, Lord Russell?

Lord Russell: "in the light of expert military opinion." That is in the report.

Chairman: That that does not mean "by military opinion."

Mr. Shiva Rao: Yes, it may be just as well to emphasise that.

Chairman: Well, that will be put in, that you raised that point. And with that that (4) be noted. That is agreed.

Then (5) as to the taking over the administration of subjects now classed as Central. That that be noted.

Diwan Bahadur Mudaliyar: I do not understand the exact effect of this. Once the question of the separation of Burma is conceded, and it is taken up, I take it a question that will be considered is the constitutional development of Burma, and the nature of the constitution that there may be. Is it meant that as an interim process the present Central subjects should be handed over to the Burmese Government? I am unable to understand this recommendation.

Lord Russell: No, it does not mean that. It means when you have a change from the Central subjects which are now administered at Delhi, to the Central subjects which will be administered in Burma, it is quite obvious that arrangements must be made for the way in which those subjects are to be conducted. A Central Service or a Central subject which is administered in the Centre in India now will afterwards have to be administered in Burma, and arrangements have to be made for the transfer of the administration, possibly for handling over some part of the administration, or a great part of the staff, and so on. It means the arrangements which have to be made in order to enable these Central subjects to be administered in Burma afterwards.

Chairman: The question is: That that be noted.

Mr. Shiva Rao: I raised this question also in sub-Committee, and I suggested that the word "scientific" should be dropped in the last line. My point is that the field of possible co-operation between the two Governments, after separation has been effected, should not be restricted only to scientific services. I note that the Government of India themselves in their Despatch only mention "certain scientific services" by way of illustration. I think it would be much wiser to leave the field as wide as possible, and to leave it to the two Governments concerned to see in what respect co-operation is possible even after separation. I suggest that the word "scientific" should be dropped.

Chairman: Would it not be sufficient just to note that, although scientific services are specifically mentioned, it does not mean that the sub-Committee have it in mind that only scientific services might be regarded from this point of view.

Mr. Shiva Rao: Would it not be better, on the whole, to put it in the broadest form "certain services," because that would not exclude scientific services. It would be more accurate to say "certain services."

Lord Russell: Mr. Shiva Rao is quite right in saying that he raised the point in the sub-Committee. I then asked whether the

Burmese Delegates or anybody else could think of any other services to which it might apply, and they could not. Therefore we retained the word. But I pointed out, what of course is the fact, that this does not in the least prevent the taking over of other services being considered when you come to the separation.

Sir B. N. Mitra: That is the point. We understood that Burma had got its own services except in the case of certain scientific services which she shared with India. Therefore the words "scientific services" were put in designedly.

Chairman: I think with those observations we may note Section 5. The question is that Section 5 be noted. (*Agreed to.*) The question is, that Section 6 be noted. (*Agreed to.*)

Sub-Committee No. V (North-West Frontier Province).

REPORT PRESENTED AT THE MEETING OF THE COMMITTEE OF THE WHOLE CONFERENCE, HELD ON 16TH JANUARY, 1931.

1. Sub-Committee No. V submits the following report subject to adjustment to the complete constitution.

2. The terms of reference to the sub-Committee were to consider "what modifications, if any, are to be made in the general provincial constitution to suit the special circumstances of the North-West Frontier Province."

3. The sub-Committee comprised the following members:—

Mr. A. Henderson. (*Chairman*).	Sir B. N. Mitra.
Lord Russell.	Raja Narendra Nath.
Lord Reading.	Mr. H. P. Mody.
Lord Lothian.	Sir A. P. Patro.
Lord Zetland.	Nawab Sir Abdul Qaiyum Khan.
Sir Samuel Hoare.	Sir Muhammad Shafi.
Maulana Muhammad Ali.	Sardar Sampuran Singh.
Sir Shah Nawaz Bhutto.	Dr. Shafa'at Ahmad Khan.
Captain Raja Sher Muhammad Khan.	Mr. C. E. Wood.
Dr. Moonje.	Mr. Zafrullah Khan.

It held meetings on the 18th and 30th December, 1930, and on the 1st January, 1931.

4. *The Need for Reform.* The sub-Committee is unanimous in attaching urgent importance to the need for reform in the North-West Frontier Province. It recommends that the five administered districts should cease to be as they are at present a centrally administered territory under the direct control of the Government of India, and that they should be given the status of a Governor's province, subject to such adjustment of detail as local circumstances require, and the extent of the All-India interests in the province necessitate.

5. *The Classification of Provincial Subjects.*—The sub-Committee recommends that, as in other Governors' provinces, there should be a classification of provincial subjects entrusted to the charge of the provincial government. The precise discrimination of subjects between the Centre and the North-West Frontier Province will require careful investigation, if necessary, by a specially constituted committee following broadly the lines of the classification in other provinces. Subject to the findings of such a committee the sub-Committee contemplates that the charge of the ordinary civil police in the five administered districts excluding

the frontier constabulary will pass to the provincial government of these districts, but in view in particular of the close relation of the province with matters of defence and foreign policy the sub-Committee considers it essential that all matters of All-India importance and all matters connected with the control of the tribal tracts, for instance, the frontier constabulary, frontier remissions and allowances, and strategic roads should be excluded from the purview of the provincial government and classed as central subjects. The broad point is that in making the dividing line between central and provincial subjects, regard would be had to the need for classifying as central certain subjects of All-India importance peculiar to the present administration of the North-West Frontier Province, which could not properly be entrusted to the provincial legislature.

6. *The Executive.*—The sub-Committee recommends that the Executive should consist of the Governor assisted by the advice of two ministers drawn from the non-official members of the legislature, at least one of whom shall be elected.

The Governor should also function as Agent to the Governor-General for the control of the tribal tracts, and the administration of central subjects peculiar to the North-West Frontier Province. With these subjects, since they will be not provincial but central subjects, the ministers will have no concern. The sub-Committee considers it essential owing to the close inter-relation between the trans-border tracts and the settled districts and in order that All-India interests may be adequately secured—that in addition to possessing all the powers vested in the Governor of a Governor's province, the Governor of the North-West Frontier Province should be the effective head of the Provincial administration and should preside over the meetings of his own cabinet.

Note I.—Sir Samuel Hoare holds the view that in accordance with the recommendation of the Chief Commissioner of the North-West Frontier Province, and the Despatch of the Government of India, one of the ministers should be an official.

Note II.—Sir B. N. Mitra suggested the words "acting on the advice of two ministers" in place of the words "assisted by the advice of two ministers" in the first sentence of the paragraph.

7. *The Legislature.*—(i) A unicameral legislative Council. The sub-Committee recommends that there should be set up for the five administered districts a single-chamber legislative Council with power to pass legislation and vote supply in regard to all subjects that may be classed as provincial. In addition the legislature should possess the usual powers of deliberation and of interpellation.

(ii) Its size. The size of the legislature should be suited to the convenience of the constituencies. The sub-Committee contemplates a legislative Council with a probable total membership, elected and nominated, of not more than 40 members.

(iii) Its composition. The sub-Committee considers that the legislature should for the present be composed both of elected and of nominated elements. The nominated members shall not exceed 14 members in a house of 40; and of the nominated members not more than six to eight should be officials.

(iv) The franchise. The sub-Committee suggests that the franchise in the North-West Frontier Province should be examined by the Franchise Committee to be set up to report on the franchise in all provinces.

(v) Minority representation. Subject to such recommendations as the Minorities sub-Committee may make, this sub-Committee considers that if Muslims are given weightage in provinces where they are in a minority, the Hindus and Sikhs in the North-West Frontier Province should be given weightage in the legislature of that province. Their representation might be three times the figure to which they would be entitled on a population basis.

8. *The Financial Settlement.*—The sub-Committee is satisfied from figures placed before it that on subjects which may be expected to be classed as provincial, the province will show a large financial deficit. It follows that the provincial government will require financial assistance from central (or federal) revenues. The Committee suggests that there should be preliminary expert investigation into the allocation of expenditure between central and provincial heads to supply the basis from which the financial subvention from central (or federal) revenues may be calculated. The sub-Committee apprehends that if the subvention be open to debate annually in the central (or federal) legislature, the substance of provincial autonomy in the North-West Frontier Province may be impaired. It suggests that the difficulty might be met by an agreed convention that each financial assignment should run undisturbed for a period of years.

(Signed) ARTHUR HENDERSON,
Chairman.

St. James's Palace,
London.
1st January, 1931.

Comments in Committee of Whole Conference (16th January, 1931) on Report of sub-Committee No. V. (North-West Frontier Province).

Chairman: Paragraphs 1 and 2 and 3 are just reports of the constitution of the Committee. No. 4. Noted. 5. Noted.

Paragraph 6. Noted.

Note I and Note II, which are appended to paragraph 6. Noted.

Paragraph 7. Noted.

Paragraph 8. Noted.

That the Report as a whole be noted.

Sardar Sampuran Singh: In sub-paragraph (v) of paragraph 7 it is suggested that " if Muslims are given weightage in provinces where they are in a minority, the Hindus and Sikhs in the North-West Frontier Province should be given weightage in the legislature of that Province ". I wish to propose that they should be given weightage both in the Central Government and the Provincial Legislature.

Mr. Sastri: Where does the Central Government come in?

Sardar Sampuran Singh: It is not mentioned here, but when the Provincial Governments have to elect members for the Central Government it is only natural the minorities should be given some weightage for the Central Legislature as well.

Chairman: This is purely a provincial report, dealing with matters internal to the Province and not with the Province in relation to the Central Government.

Dr. Moonje: I was concerned in the matter, and I made it clear at the time that this weightage was only for the Provincial Legislature and not for the Central Legislature, so that may be noted.

Chairman: Yes. The question I have to put is that the Report as a whole be noted.

Sir Abdul Qaiyum: Sir, I must express my very sincere thanks to you for having allowed the formation of a separate sub-Committee to deal with the future constitution of the North-West Frontier Province, although I personally should have preferred the Provincial sub-Committee to deal with the matter on the same footing as it dealt with the other Provinces of India. I also wish to express my sincere thanks to the Rt. Hon. Mr. Henderson, the Chairman of North-West Frontier Province sub-Committee, for the uniform courtesy and indulgence which he exhibited

towards me in order to enable me to put the case of the Province fully before the sub-Committee.

I am, however, sorry to say that in spite of the latitude given to me by the Chairman I could not succeed in convincing some of the British Delegates that, with foreign affairs and defence as reserved subjects and the powers vested in the Viceroy and Governor-General in various other directions, and after the settlement of the Federal and Central subjects for British India and the emergency and ordinary powers given to all Provincial Governors, and with the separation of the tribal areas and affairs from those of the settled districts, there was nothing left to necessitate the placing of the North-West Frontier Province in a different constitutional position from that of the other Provinces in India. In the discussions in the sub-Committee no one could point out any other matter of All-India interest, and I could not follow why a simple declaration of equal status with the rest of India with respect to the remaining very ordinary internal matters could not have been made to satisfy the people.

I am afraid, Sir, the people of the North-West Frontier Province will look upon any differential treatment in such matters as a stigma of inferiority, and will naturally continue to be discontented.

Sir, I had hoped that on my return to my country I should have been able to convey the message to my people that I had been able to secure equal status, equal civic rights and equal rights of citizenship for them: but that was not to be. I could see the view-point of some of the British Delegates as to the uncertainty of the manner in which the new constitution would be worked in a Province having no previous experience of formal representative institutions, and could follow their consequent suggestion of excluding such matters as the Frontier Constabulary from the purview of the Council, or of the inclusion of an official and nominated element in the local council for some time and even of the Governor remaining the effective head of the Provincial Executive for a time. But I thought the Report of the sub-Committee would include a recommendation that these special safeguards should not form a part of the Government of India Act itself, but would only be embodied in rules made under that Act and should disappear after a short period. Although I formally moved an amendment to that effect, I am sorry to say it did not receive the serious consideration of the sub-Committee, and this stigma now appears to me to be a permanent feature on the bright face of the North-West Frontier Province.

I therefore venture to suggest, Sir, that the following two paragraphs be added to the Report of the sub-Committee. The first would provide that the special safeguards and differential features suggested by the sub-Committee should not form part of the Government of India Act but should be secured by rules framed by the Governor-General, who will have the power to amend them at any time he likes and will withdraw the said safeguards after

the expiry of the first term of the local council, or at the most after the second term, after experience is gained.

My second point, Sir, is that the North-West Frontier Province shall be represented in the Lower House by six, and in the Upper House by two members, in the same manner as prescribed for other Provinces.

As regards the first point, Sir, it is necessary, as suggested by the local Government and approved of by the Government of India —I am now quoting from the local Government's report—that the Province should be given "a flexible constitution, capable, with the growth of political experience, of development and expansion, without the necessity of subsequent violent changes or radical statutory amendment." Now such flexibility can only be ensured if the special features of the North-West Frontier Province constitution are prescribed by the rules, which can be amended without going up to Parliament, and it is only such flexibility that may possibly give a little satisfaction to my people. It is not easy for a poor Province like ours to bring to bear influence that will move this huge Parliament to amend the Government of India Act; hence my anxiety that the matter should be left in the purview of the Government of India.

It has indeed been recognised by both the local Government and the Government of India, Sir, that the success of any constitution will depend upon the amount of popular support that it attracts, and I will earnestly request that all signs of discrimination which are likely to injure the self-respect of the people, should be removed as far as possible, and that every attempt should be made to give the constitution an acceptable shape and substance.

As regards the second point, Sir, that is the question of representation in the Central Legislature, my plea for a larger share is based on what you, Sir, call the All-India importance of my Province. Such importance, if it exists, should not only be emphasised when it is a question of imposing unusual liabilities and curtailing civil rights, but, I submit, should also be taken into account for giving special weightage at the Centre, and everywhere else. The Bray Committee recommended 4 and 2, the Simon Commission 4 and 2, and the Government of India proposes 3 and 1 representatives for the Assembly and the Council of State respectively; but I would earnestly press for 6 and 2 in the Central Legislature, for your sympathetic consideration.

I will not say more on this subject, and I hope there will be at least some members of this Conference who, having realised the position, will support my last attempt to remove all black marks, as far as possible, from the face of the proposed constitution of the North-West Frontier Province. I must repeat that we shall really feel this discrimination and this handicap in the exercise of full citizen rights as part of India.

Mr. Zafrullah Khan: Sir, I associate myself entirely with what Sir Abdul Qaiyum has said.

Mr. Jinnah: Sir, to use the words of the Lord Chancellor, I feel, after examining this Report, that the people of the North West Frontier will not be satisfied, if you want to satisfy the aspirations and the ambitions of the people of the North-West Frontier Province. I would not have taken the time of this Committee, but I have studied this question very carefully; I have had a great deal to do with it, and therefore I want to emphasise that these recommendations will not satisfy the people of the North-West Frontier Province. As a member of this Committee I cannot sit here on this question and remain silent. I reserve to myself the fullest liberty, and I am not to be taken as bound by this Report.

Chairman: That the Report as a whole be noted? Noted.

Sub-Committee No. VI (Franchise).

REPORT PRESENTED AT THE MEETING OF THE COMMITTEE OF THE WHOLE CONFERENCE, HELD ON 16TH JANUARY, 1931.

1. The terms of reference to this sub-Committee were as follows:—

"On what main principles is the Franchise to be based for men and women."

The following Delegates were selected to serve on the sub-Committee:

Sir W. A. Jowitt (*Chairman*).
Lord Zetland.
Major Stanley.
Sir R. Hamilton.
Mr. Foot.
Dr. Ambedkar.
Mr. Basu.
Mr. Barooah.
Mr. Chintamani.
Mr. Fazl-ul-Huq.
Mr. Ghuznavi.
Lieut.-Colonel Gidney.
Sir Ghulam Hussain Hidayatullah.
Mr. Hafiz Hidayat Husain.
Mr. B. V. Jadhav.
Sir Cowasji Jehangir.
Mr. Joshi.
Dr. Narendra Nath Law.
Sir P. C. Mitter.
Mr. Pannir Selvam.
Raja of Parlakimedi.
Mr. K. T. Paul.
Mr. Ramachandra Rao.
Mr. Shiva Rao.
Sardar Sampuran Singh.
Sardar Ujjal Singh.
Sir Chimanlal Setalvad.
Kunwar Bisheshwar Dayal Seth.
Sir Phiroze Sethna.
Dr. Shafa'at Ahmad Khan.
Mr. Zafrullah Khan.
Begum Shah Nawaz.
Mrs. Subbarayan.
Mr. Srinivasan.
Mr. S. B. Tambe.
Sir Hubert Carr.

2. The sub-Committee met on the 19th, 22nd, and 30th of December, 1930, and on the 1st of January, 1931, and have authorised me to present this Report.

3. In our discussion of the franchise principles we have found that they were closely connected with questions which more properly concern the composition of the legislature, the nature of the constituencies, and the qualifications for candidates for election. These points have not been considered in the sub-Committee as they fall outside its terms of reference but we are of opinion that they should be further examined since the efficacy of any franchise system depends as much on these points as on the qualifications for the franchise.

4. *Extension of the franchise.*—While it was generally held that adult suffrage was the goal which should ultimately be attained,

it was agreed that the basis of the franchise could forthwith be broadened and that a large increase was desirable.

Some difference of opinion existed as to the extent to which this was practicable in present circumstances, and it was realised that the sub-Committee had not the necessary material to determine the precise limits of the advance. The Statutory Commission suggested such an increase in the number of electors as would bring that number up to 10 per cent. of the total population. Some of our members thought that an increase to 25 per cent. of the total population was immediately practicable.

We recommend that an expert Franchise Commission should be appointed with instructions to provide for the immediate increase of the electorate so as to enfranchise not less than 10 per cent. of the total population and indeed a larger number—but not more than 25 per cent. of the total population—if that should, on a full invetsigation, be found practicable and desirable.

We recommend that, in addition to providing for this increase, the Commission should consider the introduction of a scheme by which all adults not entitled to a direct vote would be grouped together in primary groups of about 20 or in some other suitable manner, for the election of one representative member from each group, who would be entitled to vote in the Provincial elections either in the same constituencies as the directly qualified voters or in separate constituencies to be formed for them.

[Mr. Joshi, Mr. Shiva Rao, Dr. Ambedkar, Mr. Srinivasan, Mr. K. T. Paul, and Mr. Jadhav regard these proposals as quite inadequate and consider that the immediate introduction of adult suffrage is both practicable and desirable.

Sir Cowasji Jehangir and Sir P. C. Mitter dissent from these proposals and consider that the basis of the franchise should be broadened, if at all, by another system.]

5. *Uniformity of qualifications for the franchise.*—We recommend that in any given area the franchise qualifications should be the same for all communities; but we desire that the Franchise Commission in making their proposals should bear in mind that the ideal system would as nearly as possible give each community a voting strength proportional to its numbers and that the Commission should so contrive their franchise system as to secure this result in so far as it may be practicable.

[Sardar Ujjal Singh, Sardar Sampuran Singh, Sir Cowasji Jehangir, and Lieut.-Colonel Gidney dissent from the latter part of this conclusion.]

6. *Property qualification.*—We consider that there should be a property qualification for the franchise and that in this connection the word "property" should be understood in its widest sense as including not only the ownership of landed property but also the occupation of landed or house property or the receipt of income or wages whether in cash or kind.

7. *Educational qualification.*—We are of opinion that the Franchise Commission should consider the possibility of framing a suitable educational qualification as an additional qualification for the franchise, bearing in mind the ideal enunciated at the end of paragraph 5.

8. *Military service qualification.*—We are agreed that the existing Military Service qualification should be retained and we recommend that the Franchise Commission should consider the extension of this qualifications so as to include service in the Auxiliary and Territorial Forces.

9. *Special franchise qualification for women.*—We observe that under the existing franchise the number of women voters is infinitesimal as compared with that of men. No system of franchise can be considered as satisfactory, or as likely to lead to good government where such a great disparity exists between the voting strength of the two sexes. We do not anticipate that the recommendations we have already made will reduce this disparity, nor do we think that they provide sufficiently for the enfranchisement of women. We therefore agree that special qualifications should be prescribed for women but we feel that there is not sufficient material before us to justify an attempt to formulate these special qualifications. We therefore recommend that the Franchise Commission should devote special attention to this question in the light of all the evidence available including the recommendations of the Statutory Commission and the suggestion made in this sub-Committee that the age limit mentioned in the proposals of the Statutory Commission should be lowered from 25 to 21.

[Mr. Joshi, Mr. Shiva Rao, Dr. Ambedkar, and Mr. Srinivasan dissent from the proposals in paragraphs 7, 8, and 9.]

10. *The franchise for special constituencies.*—We are of opinion that the franchise qualifications for special constituencies depend essentially on the nature of those constituencies. We are not empowered to consider the latter point nor are we in possession of information as to what special constituencies are contemplated. These questions require examination by a competent body. So far as the franchise aspect has been discussed in this sub-Committee a division of opinion has shown itself as to the desirability of permitting a voter qualified in both a general and a special constituency to vote in both.

11. *Urban and rural enfranchisement.*—We are of opinion that the Franchise Commission should endeavour so to adjust the franchise qualifications as to remove in those areas where it may exist any marked disparity in the operation of the franchise qualifications in urban as compared with rural areas.

12. *The residential requirement.*—We are of opinion that the residential qualification for the vote required by the electoral rules of certain Provinces should be abolished.

13. *The future electorate.*—We consider it inadvisable to lay down any programme of automatic extensions of the franchise. We

prefer that it should be left to each Provincial Legislature to extend its franchise at its discretion after the lapse of 10 years from the date of the introduction of the new constitutions.

[Mr. Joshi, Mr. Shiva Rao, Dr. Ambedkar, and Mr. Srinivasan consider that a programme of automatic extension of the franchise should be laid down.]

14. *Franchise for the Central or Federal Legislature.*—The form of the Central or Federal Legislature has not yet been decided and in these circumstances we do not find it possible to make any suggestions regarding a suitable franchise system.

[Mr. Fazl-ul-Huq and Mr. Ghuznavi desire it to be recorded that their assent to this report is contingent on the retention of separate electorates.]

(Sd.) W. A. JOWITT,
Chairman.

St. James's Palace, London.
1st January, 1931.

COMMENTS IN COMMITTEE OF WHOLE CONFERENCE (16TH JANUARY 1931) ON REPORT OF SUB-COMMITTEE, NO. VI (FRANCHISE).

Chairman: Paragraph 1 is merely a record of the composition of the Committee, and paragraph 2 is a record of the meetings held. Paragraph 3 noted. Paragraph 4 noted, with the inclusion of certain notes at the end. Paragraph 5 noted, also with certain notes. Paragraph 6 noted. Paragraph 7 noted. Paragraph 8 noted. Paragraph 9.

Mr. Joshi: I want to make one point clear on paragraph 9. It is said that Mr. Joshi, Mr. Shiva Rao, Dr. Ambedkar and Mr. Srinivasan dissent from the proposals in paragraphs 7, 8 and 9. I want it to be noted that we are not against the claims of women for some kind of qualification being created for them. Unfortunately, we had to take up the attitude which we did in the Committee, on account of the fact that the Committee fixed a certain limit to the total number of voters being created, and in those circumstances it became our duty to protect the interests of the unenfranchised, because if we accept the principle of giving votes to the wives of those who are enfranchised, the limit of enfranchising those who had not got the franchise is bound to be higher. On account of the special and difficult position in which we were placed, we had to take up the attitude of not giving votes to the wives of those who are already enfranchised, and thus depriving the unenfranchised of their rights. We are not against removing the disqualification of sex.

Chairman: Paragraph 9 noted. Paragraph 10 noted. Paragraph 11 noted. Paragraph 12 noted. Paragraph 13 noted. Paragraph 14 noted. That the Report as a whole be noted.

Mr. Mody: On the Report as a whole, I should like to say that as the central feature of the whole Report is that the working strength of each community should be proportional to its numbers, I regard the Report as very unsatisfactory. It is a sort of handicap imposed on advanced communities like the community which I represent. I think it is a retrograde measure if this is going to be regarded as an essential qualification of voting, and I would therefore like to express my dissent.

Sir P. C. Mitter: I associate myself with the remarks of Mr. Mody, that this is going to create great heart-burning in the minds of various small communities.

Sir C. Jehangir: I signified my disagreement in writing. I quite agree with what Mr. Mody has said. I think this is an impracticable suggestion. In practice you could never carry it out. Therefore, believing you will never be able to carry it out in practice, I have contented myself on this present occasion by merely dissenting in writing.

I also dissented from the main proposal because I felt that the matter should have been considered in Committee from a different point of view. The Chairman very kindly allowed us to consider it from every point of view. These points of view are not in this Report; naturally they cannot be, but some of us did feel that one of the recommendations was nearly on the margin line of adult franchise. We strongly dissent from that. Beyond that, I have nothing further to say, except what I said in the Committee in detail.

Mr. Mudaliyar: The ideal system of franchise would undoubtedly be the adult system of franchise. Most of us are agreed with the principle of adult franchise, the only difficulty being that in practice it will not be found possible to establish it at once. It seems to me that there is nothing else in this recommendation than to bring out the idea of adult franchise. My friends could not object to the system of adult franchise except on practical grounds. The communities would have the same disadvantages and disqualifications as they have under the proposal now put forward. It seems to me that this proposal is merely carrying out the essential features and ideas of the adult franchise system.

Sir P. C. Mitter: Some of us who were on this Committee made our remarks there. I take it that those remarks will go before the responsible authorities?

Chairman: Certainly. I can assure you of that. All points of any importance will be underlined and attention drawn to them. Every view which has been expressed will be surveyed by those who will be dealing with the matter finally. That the Report be noted.

D. B. Ramachandra Rao: I should like to draw attention to the fact that the Committee left undecided two questions. We never discussed the question of franchise with regard to the Federal Legislature. The fact now remains that the Committee and this Conference is passing on to this subject without any discussion of the franchise for the Central or Federal Legislatures. That is one matter which has been left over. There will be no further opportunity, I take it, for a discussion on this.

Chairman: May I say on all these points you will find that, in Report after Report, certain points have not finally been decided.

D. B. Ramachandra Rao: And have not been dealt with also.

Chairman: Not even dealt with, but that means that the work of this Conference is going to be continued under other conditions, the continuity of the Conference being preserved. Therefore, you need not make any comments upon what is recorded in the Report but not settled; and even things that are recorded in the Report will come up when the practical details are being considered. That the Report be noted. (Agreed.)

Sub-Committee No. VII (Defence).

REPORT PRESENTED AT THE MEETING OF THE COMMITTEE OF THE WHOLE CONFERENCE HELD ON 16TH JANUARY, 1931.

1. The terms of reference of this sub-Committee were as follows:—

"To consider questions of political principle relating to defence, other than strictly constitutional aspects to be considered under heads 6 (Powers of the Executive) and 12 (Relations with the Crown)."

The following Delegates were selected to serve on the sub-Committee:—

Mr. J. H. Thomas (*Chairman*).
Lord Peel.
Sir S. Hoare.
Lord Reading.
Lord Lothian.
H.H. The Maharaja of Alwar.
H.H. The Nawab of Bhopal.
H.H. The Maharaja of Bikaner.
H.H. The Maharaja of Kashmir.
H.H. The Maharaja of Patiala.
Sir Akbar Hydari.
Sir Mirza Ismail.
Colonel Haksar.
The Rt. Hon. Srinivasa Sastri.
Sir Tej Bahadur Sapru.
Diwan Bahadur M. Ramachandra Rao.
Diwan Bahadur Ramaswami Mudaliyar.
Sir Phiroze Sethna.
Mr. M. R. Jayakar.
Dr. B. S. Moonje.
Mr. Jadhav.
Sir B. N. Mitra.
Sardar Sahib Ujjal Singh.
Lieut.-Col. Gidney.
Sir Hubert Carr.
Sir Muhammad Shafi.
Mr. M. A. Jinnah.
Dr. Shafa'at Ahmad Khan.
Nawab Sir Abdul Qaiyum.
Raja Sher Muhammad Khan.

2. The sub-Committee met on the 7th, 9th, 12th, and 14th January, 1931, and have authorised me to present this Report.

3. The discussion in the sub-Committee centred mainly round the question of Indianisation, and every aspect of this question received thorough attention. It was unanimously agreed that in a matter of such importance as Defence, the utmost care was necessary in expressing opinions, and the sub-Committee as a whole was very anxious not to create the impression that anyone in any way or to any degree wanted to say anything that could even remotely tend to imperil the safety of the country or to weaken the strength of the Army. It was in view of this general feeling that all sections of the sub-Committee emphasized the importance of maintaining the same standard of efficiency in training as prevails now in England. The sub-Committee also recognised that in dealing with the question of Defence it was not possible to overlook that a factor that must govern all considerations of the subject was the responsibility of the Crown through the Committee of Imperial Defence, which body was ultimately responsible for examining all these problems. It was realised that the responsibility of the Committee of Imperial Defence was not something that was special to India, but was common to the Empire as a whole.

Subject to the above matters of agreement, the general discussion regarding Indianisation was on the following lines. The majority of the sub-Committee considered it impossible for practical reasons to lay down any definite rate of Indianisation or anything of a precise character that might in any way embarrass those responsible for Defence and fetter the judgment or the discretion of the military authorities. Those that held this view felt that the principle of the Indianisation of officers of the Indian Army could not be looked upon as merely a question regarding the efficiency of a single officer or group of officers, or even of a single unit or group of units. It was a principle that to the majority appeared to affect the Army as a whole. It was in consequence the view of this large section of the sub-Committee that a highly technical question was involved on which the sub-Committee was not qualified to express an opinion. One section of the sub-Committee, however, was in favour of a strong affirmation to the effect that the complete Indianisation of the officers in the Indian Army should take place within a specified period, subject of course to the requirements of efficiency, and further subject to the provision of suitable candidates for recruitment as officers in India. Those members who were of this opinion held the view that this was not a technical question at all, but involved only practical considerations. The difference in these two views being fundamental, the sub-Committee decided to incorporate these in its report, and the Chairman further undertook that, when, in pursuance of the resolutions of this sub-Committee, expert committees were appointed, those expert committees would as a matter of course take into consideration the proceedings of previous Committees and in particular the proceed-

ings of the Military Requirements Committee of 1921 and the Committee on the Indianisation of the Indian Army of 1922.

4. Subject to the above the sub-Committee arrived at the following definite resolutions.—

(1) The sub-Committee consider that with the development of the new political structure in India, the Defence of India must to an increasing extent be the concern of the Indian people, and not of the British Government alone.

(2) In order to give practical effect to this principle, they recommend—

> (a) That immediate steps be taken to increase substantially the rate of Indianisation in the Indian Army to make it commensurate with the main object in view, having regard to all relevant considerations, such as the maintenance of the requisite standard of efficiency. (Mr. Jinnah dissented and desired a clear indication of the pace of Indianisation.)
>
> (b) That in order to give effect to (a) a training college in India be established at the earliest possible moment, in order to train candidates for commissions in all arms of the Indian defence services. This college would also train prospective officers of the Indian State Forces. Indian cadets should, however, continue to be eligible for admission as at present to Sandhurst, Woolwich and Cranwell.
>
> (c) That in order to avoid delay the Government of India be instructed to set up a Committee of Experts, both British and Indian (including representatives of Indian States) to work out the details of the establishment of such a college.

(3) The Committee also recognise the great importance attached by Indian thought to the reduction of the number of British troops in India to the lowest possible figure and consider that the question should form the subject of early expert investigation.

5. A view was expressed that an addition should be made to these resolutions to the effect that the sub-Committee recognised that no action should be taken so as to prejudice in any way the power of the Crown to fulfil military obligations arising out of treaties with particular Indian States. It was ruled, however, and accepted by the sub-Committee that such a specific declaration was unnecessary: the Chairman giving an undertaking that neither this sub-Committee nor any other Committee could in any way abrogate treaty obligations and engagements that were in operation.

6. In agreeing to the foregoing recommendations the Committee were unanimous in their view that the declaration must not be taken as a mere pious expression of opinion, but that immediately the Conference was concluded, steps should be taken to deal effectively with the recommendations made.

7. The advisability of establishing a Military Council including representatives of the Indian States was agreed to.

Signed on behalf of the sub-Committee,

J. H. THOMAS.

ST. JAMES'S PALACE,
LONDON,
14th January, 1931.

COMMENTS IN COMMITTEE OF WHOLE CONFERENCE (16TH JANUARY, 1931) ON REPORT OF SUB-COMMITTEE NO. VII (DEFENCE).

Chairman: Paragraph 1 is just a record of the Committee, and paragraph 2 is a record of the meetings.

Mr. Chintamani: I should like to invite the Committee's attention to the last part of the first paragraph under head 3, which refers to the Committee of Imperial Defence. I should like to know for my own information whether the Committee of Imperial Defence in relation to the self-governing Dominions is only an advisory body, or whether it has any definite rights by virtue of which the Dominions are bound by the decisions of this Committee. If that is so, I have nothing more to say; but if that be not so, I should like it to be brought out in this paragraph that it is only during the transitory period that the Committee of Imperial Defence will have those rights, and that afterwards it will be in the same position in relation to India as it is with relation to the Dominions.

Dr. Moonje: With regard to the same point, my contention is that as it was graciously agreed in the Federal Structure sub-Committee that "responsibility for the Federal Government of India will in future rest on Indians themselves," so in the same way as regards Defence. I think a principle should be laid down that India alone should be considered to be responsible for the defence of her land frontiers, chiefly the North-West Frontier. Empire responsibility comes in when international complications arise.

Defence being a reserved subject during the period of transition, the Viceroy should, in consultation with the Government of India, lay down a comprehensive policy for the Indianisation of the officer ranks of the Indian Army proper, the development and training of the volunteers, University Training Corps and territorial forces, and evolve a system of elementary military education so as to provide a steady flow of well-trained young men for the Indian Sandhurst.

It should be laid down that in future India alone should be responsible for the defence of her own frontiers, and that the Empire responsibility comes in when international complications arise. As a corrollary of that principle the details to which I have just referred are relevant.

Chairman: The points made by both speakers have been referred to in the sub-Committee and will be noted here.

Paragraph 3 is noted.

I will put paragraph 4 section by section. Section (1) of paragraph 4 is noted.

We come now to 4 (2) (*a*).

Dr. Moonje: I want it to be noted that the complete Indianisation of the commissioned ranks of the Indian Army proper

should be accomplished in 28 years at the most, according to the scheme of Indianisation prepared by a Committee of Experts appointed by H.E. the Commander-in-Chief in India about the year 1921 or 1922, subject, of course, to the requirements of the proper standard of military efficiency.

Raja Sher Muhammad Khan: In making a few remarks on the question before the House I should like in the first place to express my heartfelt thanks to the Chairman of the sub-Committee, the Rt. Hon. Mr. Thomas, for the extreme courtesy and tact with which he conducted the business of the sub-Committee and for the spirit in which he has managed to solve the most difficult and crucial questions which have come before this Conference. I hope, Mr. Prime Minister, that you will bear with the blunt remarks of a soldier, who has not inflicted any speeches on you so far, but who feels he cannot refrain from making some comments on a question affecting the future of the Army. I hope I shall have the support and sympathy of old soldiers like Mr. Wedgwood Benn and be given some time to speak on this subject.

Chairman: I do not like to pull you up, but would you mind beginning again where I have interrupted you when I come to put the whole of (2)? Otherwise we shall get our business into a state of great confusion. I shall be glad if you will help me to deal first of all with the details of (2), and then you can make your statement when I put the whole of (2).

Is there anything on 4 (2) (*a*)?

Dr. Moonje: With regard to Indianisation, I desire it to be noted specifically that all recruitment for the commissioned ranks in the Indian Army proper should henceforth be made in India from amongst Indians, subject to the requisite standard of efficiency, provided that it should be open to the Government of India to provide for recruitment in England to fill up such of the vacancies as may not be filled up in India. These two reservations of mine should be noted.

Mr. Chintamani: I associate myself with Mr. Jinnah's point of view and like him I desire a clear indication of the pace of Indianisation.

Chairman: That on Mr. Jinnah's part is recorded here.

(2) (*a*) is noted.

(2) (*b*) is noted.

(2) (*c*) is noted.

Sardar Sampuran Singh: I should like to propose an additional sub-paragraph, to be inserted as (*d*). I would suggest that at least

75 per cent. of the officers selected for the Army should be chosen from amongst those peoples who join the ranks of the Army. It is really very unfair to those people who are ready to undertake the difficult part of the Service on a smaller pay to find their sons and their kinsmen deprived of the higher positions in the same department. They have been in that anomalous position for some time, because it is always the people who can bring influence to bear on the higher authorities who have eventually to make these appointments, who get their own people in though they have no military service at their back. They get their children taken in as officers. I think it is only fair and just to those people who join the ranks that they should also have a good share in the cadre of officers.

Chairman: A note will be taken of that.

Mr. Jadhav: I want to say something against it.

Chairman: That will be recorded—that you do not support it.

Dr. Ambedkar: What I want to do is to move an amendment to clause (2) of paragraph 4 of this Report to the following effect, that immediate steps be taken to see that recruitment to the Indian Army is thrown open to all subjects of His Majesty, including the depressed classes, consistently with considerations of efficiency and the possession of the necessary qualifications. I do not merely wish to have this matter recorded; I wish to move it as a substantive amendment, so that the sense of the House may be taken on it. My amendment is a very simple one; it seeks to remove all discriminations between the different classes of His Majesty's subjects to enter military service. No doubt I move the amendment primarily with a view to protecting the specific rights of the depressed classes, but in doing so I am not asking the Committee to confer any favour: I am asking the Committee to see we realise in practice the principle recognised in the Government of India Act, that no subject of His Majesty shall be debarred from entering any public service by reason of his caste, creed or colour. In doing so, therefore, I do not think I am asking for any special favour.

I may point out to you, Sir, that this amendment is on the lines adopted by the Services Committee. If you will refer, Sir, to the Report of the Services Committee appointed by this Committee, you will find that the Services Committee did make a serious effort to see that all subjects of His Majesty had a fair and adequate chance in the Public Services of the country, and that they not only enunciated certain fundamental rights protecting subjects of His Majesty from being debarred from entering any Public Service, but they went out of their way to make special recommendations, mentioning certain specific communities, such as the Anglo-Indians and the depressed classes.

But, Sir, this amendment is not merely in the interests of the depressed classes. I submit it is also in the interests of all commu-

nities and subjects of His Majesty. I think, Sir, that it is a great public danger that any community in India should be allowed to monopolise any service in the country. I say it is a great public danger, because it not only excites a sense of superiority in those particular communities which have been placed in that position of advantage, but it also jeopardises the welfare of the people by making them dependent upon the protection afforded to them by certain specific communities. I therefore submit that as we are enunciating a new constitution for India, we ought to begin with a system which will permit every member of His Majesty's community to play such part as he is capable of by reason of his fitness in any Public Service of the country.

And, if I may say so, Sir, the amendment which I am moving is only a logical consequence of the principle enunciated in this paragraph itself, because if you refer to sub-Clause 1 of Clause 4 you will see this: "The sub-Committee consider that with the development of the new political structure in India, the defence of India must to an increasing extent be the concern of the Indian people, and not of the British Government alone." Now, Sir, if that sentence has any meaning, that the defence of India should be to an increasing extent the concern of the Indian people, it must be the concern of all Indian people and not the concern of any particular community.

I therefore submit that this House do accept the amendment which I am proposing.

Dr. Moonje: With regard to Dr. Ambedkar's proposal that recruitment should be thrown open to all classes, I entirely agree with him provided the standard of efficiency is maintained.

Dr. Ambedkar: That is my amendment: I say that it shall be consistent with efficiency.

Sir Tej Bahadur Sapru: I also associate myself with Dr. Ambedkar.

Mr. Basu: Mr. Chairman, I rise on a point of order. This amendment overlaps a portion of the Report of the Services Committee, which says, in Clause 5 (4): "membership of any community, caste, creed, or race shall not be a ground for promotion or supersession in any Public Services."

Dr. Ambedkar: We excluded the Army from our consideration.

Mr. Thomas: Mr. Chairman, I do not think there is any need for the amendment. The paragraph was deliberately put in: "the sub-Committee consider that with the development of the new political structure in India, the defence of India must to an

in increasing extent be the concern of the Indian people, and not of the British Government alone." That does not say that the defence of India must be the special concern of any section in India. It was deliberately framed to cover that, and the word "Indianisation" is applicable.

Dr. Ambedkar: Yes, but I mean there may be Indianisation without there being the opportunity given to all communities to enter Public Service. Indianisation may still mean the monopoly of some communities.

Chairman: The position is that it will be noted. It is quite impossible for a Committee's Report to be altered. The only procedure that is possible is to refer back the Report to the sub-Committee again for reconsideration. We are short of time and we have not adopted that method; but everybody who has got a contribution to make to the clarification of a declaration that is made by a sub-Committee, or an amendment to a sub-Committee's Report, shall have it on record, and I have given you again and again my word that they will all be considered when the actual details are fitted in.

Raja Sher Muhammad Khan: Sir, some of the speakers have concentrated their attention on the period required for complete Indianisation of the Indian Army. Sir, in my opinion no military authority on earth can fix up the exact period of complete Indianisation. It involves the question of efficiency, equipment and *esprit-de corps.* We can produce a dozen Viceroy's from among our friends who are sitting here: Sir Tej, Sir Muhammad Shafi, Mr. Jinnah, Mr. Sastri, each quite capable to take up the duties of Viceroy of India. I do not mean the ship. But can they produce even one general, amongst themselves? Generals cannot be manufactured: they reach this highest rank after more than 35 years continuous service in the Army. Complete Indianisation from top to bottom will take a long time. Within 26 years you may Indianise the regimental officers, but what about the huge big staffs? An Army without efficient staff is a rifle without ammunition. I welcome the announcement of the Chairman about opening the Military Academy in India for all arms as soon as possible.

In my opinion the Army problem is threefold:—(1) political and financial control; (2) internal organisation, commissions, etc.; (3) production of material to fill up the commissioned ranks.

The first and second I leave to the expert, except that I am strongly of opinion that the Army must be controlled entirely by an Army Council in India composed of the Viceroy, the Commander-in-Chief, and three or four other expert members. It should not be given into the hands of a civilian inexperienced Minister.

Perhaps I may be permitted to tell a story which is very interesting as showing how these civilians deal with the Army in India at present. The Quartermaster had submitted the regimental ration return for the month for audit, and as from the 15th, the return showed an increase of half a ration for families. Back came the return from the audit endorsed with the request that the increase in question should be explained. Being anxious to oblige, as is usual with such great personages, the Quartermaster wrote an explanation to the effect that a son and heir had been born to the wife of No. 80 Sepoy Noor Khan and had been taken on to the ration strength. He attached this to the return and again submitted it to the audit people. Back it came, for the second time, marked: "Please state hour of birth of infant." "10-30 A.M.", wrote the Quartermaster, and submitted the return yet once again. Back it came for the third time, marked: "Increase disallowed for the 15th, allowed from 16th onwards, under Regulations, paragraph 253, volume so and so, section so and so, paragraph so and so. Please correct accordingly." The Quartermaster turned up the authority quoted by the audit people, and found that it was in these terms: "Troops disembarked in the forenoon will be rationed on board for that day."

The biggest problem is the production of officers. The raw material is there in ample quantity, but it is not being shaped properly before it reaches school-leaving age. The solution is solely a matter of education. The Military Academy can only function when there are excellent Public Schools to fill it. Whatever the pace of Indianisation may be, I most humbly suggest that the commission should be given in proportionate number to the tribes which provide the rank and file. At present the King's Commissions are going far too much to non-martial races. The Sepoys will not stand this, and the system will break down when the test comes. The breakdown will do infinite harm to India.

We want the best type of officer. I will tell you another story to definite the best type of officer. Once in Mesopotamia a battalion was attacked and the Turks were shelling heavily. An officer, whose nationality I will not mention, ran to the Commanding Officer and said, "Sir, may I go back to the reserves and look after the wounded?" The colonel said "Yes." The officer ran back to the reserve lines, and I do not know where he hid himself. The next day the officers were discussing the battle. One of them said that his company had done this, that, and the other, and this officer, about whom I have told you, said he was bored stiff because he ran behind so fast. That is the type of officer we do not want in the Army.

All the facts want careful consideration, and I strongly hope that the Committee will not look over the right of the martial races and of the present Indian officers and men of the Indian Army who have proved themselves splendid fighters, and who are capable of even higher command.

Chairman: Paragraph 4 as a whole noted. Paragraph 5 noted; paragraph 6 noted; paragraph 7 noted.

Sir Provash Chunder Mitter: Several of us have sent in a memorandum.* Will it be noted?

Chairman: Certainly. That the whole of the Report be noted. That is agreed. I am sure you will all thank Mr. Thomas.

* To be printed in supplementary volume

Sub-Committee No. VIII (Services).

REPORT PRESENTED AT THE MEETING OF THE COMMITTEE OF THE WHOLE CONFERENCE, HELD ON 16TH JANUARY, 1931.

The terms of reference to this sub-Committee were as follows:—

"The Relation of the Services to the new political structure."

The following Delegates were selected to serve on the sub-Committee:—

Sir William Jowitt (Chairman).
Lord Zetland.
Major Stanley.
Lord Reading.
Sir Robert Hamilton.
H. H. The Maharaja of Alwar.
H. H. The Maharaja of Nawanagar.
Sir Prabhashankar Pattani.
Rao Bahadur Krishnama Chari.
Sahibzada Sultan Ahmed Khan.
Mr. Chintamani.
Sir P. C. Mitter.
Dr. Narendra Nath Law.
Mr. Basu.
Mr. Tambe.
Sir Chimanlal Setalvad.
Mr. Shiva Rao.
Mr. Mody.
Sir Cowasji Jehangir.
Sir A. P. Patro.
Rai Bahadur Kunwar Bisheshwar Dayal Seth.
Maharajadhiraja Kameshwar Singh of Darbhanga.
Raja of Parlakimedi.
Dr. Ambedkar.
Lieutenant-Colonel H. A. J. Gidney.
Mr. Paul.
Sardar Sampuran Singh.
Sir Shah Nawaz Bhutto.
Mr. Ghuznavi.
Khan Bahadur Hafiz Hidayat Husain.
Mr. Zafrullah Khan.
Dr. Shafa'at Ahmad Khan.
Mr. Fazl-ul-Huq.
Sir Edgar Wood.

The sub-Committee met on the 6th, 7th, 8th, 9th, 12th, and 13th of January, 1931, and have authorised me to present this Report.

1. *Existing members of the Services.*—Inasmuch as the Government of India Act and the rules made thereunder by the Secretary of State in Council guarantee certain rights and safeguards to members of the Services, due provision should be made in the new constitution for the maintenance of those rights and safeguards for all persons who have been appointed before the new constitution comes into force.

When the new constitution is drawn up suitable safeguards for the payment of pensions (including family pensions) and provident funds, should be provided.

As it is important that those responsible for the working of the new constitution should not at its initiation be embarrassed by the economic waste and administrative difficulties which a change of staff on a large scale would entail, it is desirable to take such steps as are necessary to reassure existing members of the Services with the view that they may serve with loyalty and efficiency for their normal term.

To this end the sub-Committee agreed that the right to retire on proportionate pension should be extended, but opinion was divided as to whether the extension should be for an unlimited term or for a definite period of years, not exceeding five years.

2. *Future recruitment for the All-India Services.*—We recommend that for the Indian Civil and Indian Police Services recruitment should continue to be carried out on an All-India basis, but the majority of the Committee are of opinion that recruitment for Judicial Offices should no longer be made in the Indian Civil Service. The Indian Forest Service and the Irrigation Branch of the Indian Service of Engineers should be provincialised.

(Four members would prefer that the Irrigation Branch should remain an All-India Service.

Mr. Shiva Rao and Mr. Tambe desire to record their view that all Services should be provincialised forthwith.

Dr. Ambedkar, Mr. Zafrullah Khan, and Sardar Sampuran Singh are averse to further recruitment on an All-India basis for the Indian Civil Service and the Indian Police Service, save in respect of the European element in those Services.)

3. *The recruiting and controlling authority for the future All-India Services.*—Since we are recommending that the Indian Forest Service and the Irrigation Branch of the Indian Service of Engineers should no longer be recruited on an All-India basis, we do not think it necessary to offer any special observations with regard to these two Services.

On the question whether we should record any recommendation as to the desirability of securing a continuance of the recruitment

of a European element in the Indian Civil Service and the Indian Police Service there was some divergence of opinion.

The majority of the sub-Committee are of opinion that in the case of these two Services it is desirable that some recruitment of Europeans should continue. On the question of the ratio there is a difference of opinion, some holding that for the present recruitment should continue on the lines laid down by the Lee Commission, while others would prefer that the matter should be left for decision by the future Government of India.

Whatever decision may be reached as to ratio, the majority of the sub-Committee hold that the recruiting and controlling authority in the future should be the Government of India. They would leave to that authority the decision of all questions such as conditions of recruitment, service, emoluments and control. Those who take this view attach importance to complete control over the Services being vested in the Central and Provincial Governments. A minority of the sub-Committee think that the recruiting authority should be the Secretary of State, since they hold that without an ultimate right of appeal to him, and through him to the British Parliament, it will not be possible to secure recruits of the required type for the British element in the Services. Those who take this view consider that adequate control over the members of the Services can be secured to the Indian and Provincial Governments under the Devolution Rules.

There is one further observation we have to make under this head. In existing circumstances the Government of India can and does obtain officers from the Provinces to fill certain central appointments. Under the new regime we hope that it will be found possible to conclude arrangements between the Government of India and the Provincial Governments so as to secure the continuance of this practice which has obvious advantages.

4. *The Indian Medical Service.*—Subject to paragraph 1, the sub-Committee are of opinion that in future there should be no civil branch of the Indian Medical Service; and that no civil appointments either under the Government of India or the Provincial Governments should in future be listed as being reserved for Europeans as such.

The Civil Medical Services should be recruited through the Public Service Commissions. In order to provide a war reserve, a clause should be inserted in the contracts of service of a sufficient number of officers that they shall undergo such military training and render such military service as they may be called upon to do. The extra cost involved should be borne as an Army charge.

Further, the Governments and Public Service Commissions in India should bear in mind the requirements of the Army and the British officials in India and take steps to recruit a fair and adequate number of European doctors to their respective Civil Medical Services, and should be prepared to pay such salaries as would bring about this result.

It is suggested that agreement might be reached between the Central Government and the Provincial Governments whereby the latter in selecting their European doctors might grant a preference to those members of the Indian Medical Service who have performed a period of service with the Army. We contemplate that such members would sever their connection with the Indian Medical Service during the term of their employment in the Provincial Medical Service—subject only to the acknowledgment of a claim by the Army authorities in time of emergency. The practical details of any such arrangement would have to be a matter of agreement between the Army authorities and each Provincial Government.

Major Stanley wishes to make it clear that his acceptance of this section is contingent upon the possibility of securing satisfactory agreements under paragraph 4.

Lord Zetland and Sir Edgar Wood fear that under the scheme proposed neither the Provincial Governments nor the Indian Medical Service will secure European Medical Officers of the type required, and they would prefer that the present arrangement should continue until Indianisation both in the Indian Army and in the Civil Services has proceeded further.)

5. *Public Service Commissions.*—(1) In every Province and in connection with the Central Government a Statutory Public Service Commission shall be appointed by the Governor or Governor-General as the case may be.

(2) Recruitment to the Public Services shall be made through such Commissions in such a way as to secure a fair and adequate representation to the various communities consistently with considerations of efficiency and the possession of the necessary qualifications. This part of the duties of the Public Service Commissions shall be subject in the case of Provincial Commissions to periodical review by the Governor, and in the case of the Central Commission by the Governor-General, both of whom shall be empowered to issue any necessary instructions to secure the desired result.

(Raja Narendra Nath and Sardar Sampuran Singh desire to add a proviso that the proportion of appointments to be filled to redress communal, class and caste inequalities should not in any case exceed one-third of the total appointments to be filled, the remaining two-thirds of the appointments being filled solely on considerations of merit.)

The Governor shall, before considering any appeal presented to him against any order of censure, of withholding an increment or promotion, of reduction to a lower post, of suspension, removal or dismissal, consult the Commission in regard to the order to be passed thereon.

(3) Members of the Public Service Commissions shall hold office during the pleasure of the Crown and be removable by the Governor,

in the case of a Provincial Commission, and by the Governor-General in the case of the Central Commission. They shall, after ceasing to be members of a Commission, be ineligible for a period to be fixed by the Governor or Governor-General as the case may be for further office under the Crown in India, except that persons who have been members of a Provincial Public Service Commission shall be eligible for appointment as members of the Central Commission or of another Provincial Commission, and *vice versâ*.

(4) The sub-Committee recognise the special position of the Anglo-Indian community in respect of public employment, and recommend that special consideration should be given to their claims for employment in the Services.

(5) There should be a statutory declaration that—

(*a*) No person shall be under any disability for admission into any branch of the Public Services of the country merely by reason of community, caste, creed, or race.

(*b*) Membership of any community, caste, creed, or race shall not be a ground for promotion or supersession in any Public Services.

In making this recommendation the sub-Committee have particularly in mind the case of the Depressed Classes. They desire that a generous policy be adopted in the matter of the employment of the Depressed Classes in Public Service, and in particular recommend that the recruitment to all Services, including the Police, should be thrown open to them.

6. *Internal Administration of the Police.*—Subject to the recommendation which has already been made by the "Provincial Constitution" sub-Committee, that under the new constitution responsibility for law and order should be vested in the Provincial Governments, the question whether in consequence any special recommendation should be made as to the internal administration of the Police was left to this sub-Committee. We have given consideration to various suggestions made under this head. Some of the sub-Committee think it undesirable to make any recommendation which might be held to impinge upon the discretion of the future Provincial Governments. Others, who consider that the control over the Police Forces at present secured to the Inspectors-General by statute should be preserved, advise that the Police Act of 1861 should not be subject to repeal or alteration by the Legislature without the prior consent of the Governor General, and that the Police Acts of the Governments of Bombay, Bengal, and Madras should be included in the category of Acts which should not be repealed or altered by the Provincial Legislature without the previous sanction of the Governor-General.

7. *The Central Services.*—We recommend that the Government of India should be the authority for recruitment to the Services which are under the control of Ministers responsible to the Legis-

lature. As regards the Services under the control of the Governor-General, we do not feel called upon to make any recommendation.

Signed on behalf of the sub-Committee.

W. A. JOWITT,
Chairman.

ST. JAMES'S PALACE,
LONDON.
13th January, 1931.

COMMENTS IN COMMITTEE OF WHOLE CONFERENCE (16TH JANUARY, 1931) ON REPORT OF SUB-COMMITTEE NO. VIII (SERVICES.)

Chairman: The first page is the usual record of the Committee and the meetings. Page 2 begins number 1. That 1 be noted. (Agreed.) Now 2.

Sardar Ujjal Singh: I want to associate myself with the remarks of Dr. Ambedkar and Mr. Zafrullah Khan. That is on No. 2.

Mr. Jayakar: I want the question to be left free to the future Government of India whether, with reference to the Indian Civil and the Indian Police Services the recruitment should continue on an All-India basis or on a Provincial basis. I want that left for the future Government of India to determine in the light of their experience and requirements.

Sir Tej Bahadur Sapru: I entirely agree with Mr. Jayakar on this point.

Chairman: It really almost means that, but still . . . 2 noted. 3 noted. That carries you away down to 4.

Mr. Jayakar: On No. 3 "desirability of securing a continuance of the recruitment of a European element in the Indian Civil Service." That should in my opinion, be left free to be decided by the future Government of India according to the necessities of the Service.

Sir Tej Bahadur Sapru: I associate myself with that.

Chairman: No. 4.

Mr. Joshi: I am against accepting the principle that the European employees of the Government of India have a right to be treated by European doctors. When we are thinking of giving self-government to India the European employees should not insist upon saying that the Indian doctors are not good enough to treat them and their families.

Dr. Moonje: In India, Europeans of their own accord submit themselves to the Indian doctors for treatment. At the same time it is also a fact that Indians go to the European doctors for their treatment. It all depends on the matter of qualifications and the matter of faith. I think, therefore, that there is no use in making out that the British Officers that would be still in the Army or that would be still in the Civil Service would not be willing to submit themselves to the treatment of Indian doctors, so I do not think

that kind of principle should be laid down here, and I therefore record my dissent on this point.

Sir Cowasji Jehangir: Sir, both these points were emphasised in the Committee very strongly and you will see in the Report that it is provided that no civil appointment, either under the Government of India or under the Provincial Governments, should be listed as being reserved for Europeans as such. That is actually provided in the Report itself. The point raised by Dr. Moonje, I will repeat, was argued in the sub-Committee, and the sub-Committee ultimately came to the recommendation which has been placed before you to-day, and personally I do not think that the wording of this paragraph can be interpreted to mean that European officials should always be treated by European doctors.

Mr. Chintamani: I have only one observation to make on this—that the whole of this paragraph, excepting for the statements of dissent, was intended to be essentially a compromise between opposing points of view, and therefore those who subscribed to this in the sub-Committee will consider themselves free to go beyond or behind it if the others, with a different point of view, seek to go behind it too.

Lt.-Col. Gidney: I have one remark to make on this; on page 406, "members would sever their connection." Might I suggest that the word "temporarily" be there, too—"temporarily sever their connection," *i.e.*, seconded from the Service while so employed.

Chairman: Well, we cannot make the alteration, but we can note it, because it will have no importance really when this is considered from the point of view of practical working. That 4 be noted. (*Agreed.*)

Now 5. 5 (1). (2), (3), noted. (4) noted. Now (5).

Mrs. Subbarayan: May I ask a question to clear up a point. I learn that the sub-Committee first inserted the word "sex", but subsequently removed it from this clause because it was definitely stated that the word "person" implied a person of either sex. I should like to know whether it is definitely understood that "person" implies man or woman.

Chairman: Our great legal pundits have ruled so. I do not know.

Sir Provash Chunder Mitter: I can tell you it does. The question was discussed, and I can tell you that it does include both men and women.

Chairman: You drafted this under the impression that you have provided for them both.

Sir Provash Chunder Mitter: Yes.

Chairman: I think, as a matter of fact, that is so.

Mrs. Subbarayan: Thank you.

Chairman: (5) noted. The whole of 5, noted; 6, noted; 7, noted. That the Report as a whole be noted. Noted.

Sub-Committee No. IX (Sind).

REPORT PRESENTED AT THE MEETING OF THE COMMITTEE OF THE WHOLE CONFERENCE, HELD ON 16TH JANUARY, 1931.

1. The members of the sub-Committee were:—

Lord Russell (Chairman).
Lord Zetland.
Lord Reading (for whom Mr. Foot acted as substitute).
H. H. The Aga Khan.
Mr. Jinnah.
Sir S. N. Bhutto.
Sir G. Husain Hidayatullah.
Sir Abdul Qaiyum.
Sir M. Shafi.
Dr. Shafa'at Ahmad Khan.
Sardar Sampuran Singh.
Dr. Moonje.
Mr. Jayakar.
Raja Narendra Nath.
Mr. Chintamani.
Mr. Jadhav.
Sir P. Sethna.
Mr. Mody.
Sir H. Carr.

The terms of reference were to consider—

"the question of constituting Sind as a separate Province."

The sub-Committee sat on 12th, 13th and 14th January, and have authorised me to present this Report.

2. They consider that the racial and linguistic differences between the inhabitants of Sind and those of the Presidency of Bombay proper, the geographical isolation of Sind from Bombay, the difficulties of communication between the two, and the insistency with which separation has been advocated, provide an impressive case for the division of Sind from the Bombay Presidency and the creation of a separate Provincial Government there.

3. They observe that the Government of Bombay have pointed out certain administrative difficulties in the way of the separation of Sind, but they do not believe them to be insuperable.

4. They note that no detailed examination of the financial consequences of separation has yet been made. On the figures available to them they are unable to express an opinion on the financial aspects of the question

The sub-Committee with two dissentients (Dr. Moonje and Raja Narendra Nath) are impressed by the strength of the arguments

in favour of separation, and they have come to the conclusion that the principle of separation should be accepted. They therefore recommend that an expert Committee in India should examine carefully the probable revenue and expenditure of a separated Sind and the security of the debt on the Sukkur Barrage, and should also recommend an equitable adjustment of the financial commitments for which Sind may properly be considered liable. If the investigation shows that separation would leave the new Province with a deficit, the sub-Committee think that the representatives of Sind should be asked to show satisfactorily how the deficit would be met before the new Province is set up.

Signed on behalf of the sub-Committee,

RUSSELL

St. James's Palace,
London,
14th January, 1931.

COMMENTS IN COMMITTEE OF WHOLE CONFERENCE (16TH JANUARY, 1931), ON REPORT OF SUB-COMMITTEE No. IX (SIND).

(*N.B.* With the permission of the Prime Minister the question of creating a separate Province for the Oriya-speaking people was raised in the course of the discussion on this Report.)

Chairman: The first paragraph is again the record. Paragraph 2—noted. 3 noted. 4 noted. Now in putting the Report as a whole, a promise was given to the Raja of Parlakimedi that he should say something on this general Report, but as a matter of fact it is on the subject of Orissa.

Raja of Parlakimedi: Sir, on behalf of 10 millions of Oriyas, the subjects of His Majesty, I rise to represent their long-standing grievances on this occasion. The memorandum* I have placed in your hand a few days since has been able, I hope, to give a clear insight into all the present difficulties the Oriyas are placed under, situated as they are in 4 different Provinces. I will not tire you with the details of the history for unification of the Oriyas, agitating as they have been for the last quarter of a century and more. As one well-informed of the facts, I should lay before you all to-day that the formation of a separate Province for the Oriyas is a life and death problem to them. They feel tortured with all the disabilities and disadvantages of one being a distant adjunct lying at the tail end of every Province wherever they are, far away from the seat of Government of the respective Province, and always in a unique minority, completely lost sight of, being merged in the teeming millions of population of those Provinces.

I appeal to you all, gentlemen, to appreciate the peculiar position of the Oriyas and their demand, as recommended by several official bodies time after time. We want a Province of our own on the basis of language and race, to be ourselves a homogeneous unit with feelings of contentment and peace, to realise and be benefited by the projected reforms to India by both Indian and British politicians, who look forward to the day when the United States of India will consist of small federated States based on common language and race. Without a separate Province for the 10 millions of Oriyas, let me tell you, Sir, that all your labours at this Conference to develop Parliamentary institutions in Provinces with autonomous powers, will prove, on the contrary, seriously injurious to the Oriyas.

The patience with which we have waited and the loyalty to the British Crown with which we have looked up to always for justice, sympathy, and fair treatment, have proved as Lord Curzon put it once, "Were the Orissans an agitating people, which they are not, they would soon make their protest heard. As it is they have been sacrificed without compunction."

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* To be printed in supplementary volume.

I am right, I think, Sir, in my presumption, that you all consider the Oriya problem as the least controversial of all the problems that this Conference has had to deal with. You are aware that the Simon Commission, the Government of India Despatch, and all the Provincial Governments concerned have recognised the urgent necessity for the immediate solution of the question. The question of finance, however, is evidently the only obstacle in the way of their recommending the formation of a separate Province for the Oriyas. My answer to that is that finance is not, after all, a fence of such insurmountable dimensions when we have to save a great historic race with an ancient civilisation and culture, from being obliterated. The old saying: "Cut your coat according to the cloth" if strictly applied, comes to the rescue, to a great extent, in creating the long-sought after Orissa Province; and, again, I am fully confident that the Central Government with the same feelings of benefaction will come to the rescue of the new Province as it did in the case of Assam and Bihar and Orissa, when first they were created. One redeeming feature, however, which I should point out to you is, that we will be starting with hardly any debts; but, on the other hand, with appreciably more income than Assam had to start with. At page 104 of the Memorandum submitted by the Government of Bihar and Orissa to the Indian Statutory Commission, we gather that the annual revenue of the Orissa Division of Bihar and Orissa would be about ten millions of rupees, and I am sure that with the additions of the districts as recorded by different official bodies with their gathered evidence of the people of these parts, and the people of other adjoining Oriya speaking areas, that may be recorded by the Boundary Commission, will bring in about 20·2 millions of rupees to solve the financial difficulty. I may illustrate that the agency tracts with their scope for excise revenue, large areas of waste lands that are being developed and valuable forest produce, will contribute largely to the Provincial funds. In addition to this, there is an extensive coastal area containing large sheets of salt pans and scope for shipping between different parts of the Empire further to increase the Provincial revenue. I can also assure you, Sir, that if circumstances so necessitate, we the Oriyas are prepared to bear the burden of special taxation to meet any financial deficit of the future Province.

Without further encroaching upon your valuable time, enough if I have been able to impress you, gentlemen, with the urgency of the problem. It is for you to make or mar the destiny of an ancient race, vast in numbers, cultured and advanced, but placed under painful circumstances now, though their past was bright and full of unique interest and of historical importance as those of any of the present advanced communities of India.

Sir A. P. Patro: As one interested in the formation of a separate Province for the Oriyas, I support the proposal whole-heartedly. The formation of a separate Province for the Oriyas has been

agitated for since 1902. I was the first to lead the agitation about this matter. I think a Committee should be appointed to go into this matter as soon as possible.

Sir Provash Chunder Mitter: I associate myself with those remarks.

Dr. Moonje: In connection with the Report, I have been put down as one of the dissentients and I want to state in a few words why I dissented. I opposed the separation of Sind on a principle, and that principle is that no new Province should be created with the object of giving a majority therein to any particular community. When this question will come up for consideration as a part of the larger question of re-distribution of Provinces including the question of the Province of Orissa, as a previous speaker wants Orissa to be constituted into a separate Province, I should have no objection.

Then there is another point. The re-distribution of any Province without the consent and agreement of the two communities, Hindus and Muslims, is likely to increase the area of communal conflict and endanger the relations between the two communities, not only in that Province but throughout India. The Hindus are against separation. Besides, it will be a deficit Province. It is on those points that I dissent from the Report.

Chairman: That will be noted.

Raja Narendra Nath: I did not at the time give my reasons for my dissension, and I would briefly like to give them now.

My reasons then were as they are now, that the Minority question has not been settled. I apprehended at the time that it would not be settled, and my apprehension has proved to be true. There has been no declaration of rights unassailable by the majority community, and I do not know when we shall come to an agreement [illegible] that point. These were my reasons then, and [illegible] now, in associating myself with Dr. Moonje.

Sir Shah Nawaz Bhutto: I think I shall be borne out by many members of the Committee when I say that we considered and decided this question on its own merits. It was not considered from any communal point of view or with regard to the Minority question. I think that the point which has been raised has no force in it at all.

Chairman: That will be noted.

Plenary Session, 16th January 1931.

Chairman: I would suggest now that we resolve ourselves into the Plenary Meeting of the Conference.

The business which is before you now is to note the Reports which you have received from the Committee of the whole Conference, and that, of course, enables you to raise everything.

It has been suggested that a resolution might be put in the following terms:[*]

"The Conference sitting in Plenary Session has received and noted the Reports of the nine sub-Committees submitted by the Committee of the whole Conference with comments thereon.

These Reports, provisional though they are, together with the recorded notes attached to them, afford in the opinion of the Conference, material of the highest value for use in the framing of a constitution for India, embodying as they do a substantial measure of agreement on the main ground-plan, and many helpful indications of the points of detail to be further pursued. And the Conference feels that arrangements should be made to pursue without interruption the work upon which it has been engaged."

With that draft in front of you, the whole field is open for an examination of the work that we have been doing during the last nine weeks.

Diwan Bahadur Ramachandra Rao: I should like to ask what has been done with the proposal to consider the establishment of a Supreme Court. Nothing has been said about that.

Chairman: That was meant to be raised the other day but was not raised. The reply will be read by the Lord Chancellor.

Lord Sankey: Mr. Prime Minister, your Highnesses, Ladies and Gentlemen, in a Federal constitution such as the one we propose to set up, a Federal Court is an essential element. There is such a Court in Canada, in Australia and in the United States. The principle is accepted, and the exact constitution of the Court can be settled later. In my view, that will not be a difficult task, although there are many details which will remain for discussion. I would therefore venture to take the opportunity of advising you to pass a resolution affirming the principle and leaving the other questions open for further determination.

Chairman: That will be recorded.

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[*] See page 473 for the form in which the resolution was finally adopted by the Conference.

Sir Chimanlal Setalvad: Mr. Prime Minister, perhaps it would be convenient at this moment for me to say that when the question of the Supreme Court is raised, there are certain questions with regard to the High Court which will also have to be raised. I intend to raise those questions at whatever stage it may be convenient to raise them.

Lord Sankey: Yes, certainly.

Lt.-Col. Gidney: I should like to mention that I sent a note to the Lord Chancellor on jury trials so far as it affects Anglo-Indians which I hope he will consider when the Federal or Supreme Court is constituted.

Lord Sankey: Certainly. I am very much obliged to you.

Mr. Jayakar: May I mention, with the permission of Their Highnesses, that it may also be necessary to consider whether it is possible—I am not proposing anything controversial now—to link up the Supreme Court with the judicial systems of Their Highnesses. I am only asking for that question to be considered. I do not know whether any powers may be given of an appellate character to the Supreme Court. I am only suggesting that because it will link up the whole judicial machinery of entire India.

Lord Reading: I understand that everything will be open because I also have some suggestions to make with regard to the Supreme Court. I am not going into them now. I understand everything was open.

Lord Sankey: Yes.

Chairman: The subject is going to be the Supreme Court.

Sir Chimanlal Setalvad: I hope the Lord Chancellor will not forget the question of the status of the Indian Bar.

Lord Sankey: That I always remember.

H.H. The Maharaja of Rewa: Mr. Prime Minister, I should like to begin by adding my quota to the tribute of praise which has already been paid to the patience, the sympathy and the impartiality with which you and your colleagues, among whom I must particularly mention Lord Sankey, have presided over our discussions.

I think it can fairly be claimed that an atmosphere of good will has prevailed throughout our deliberations; and the creation of this atmosphere is, I believe, in itself a substantial achievement, and one which will go far to assist in the solution of the many problems of detail, some of them sufficiently intractable, which yet await the constitution makers.

It is, I suppose, inevitable, that as the Conference draws to a close we should each one of us ask ourselves what we hoped to achieve at this Conference, and what has been the measure of our success. For myself, I will say that I did not expect to see a detailed constitution hammered out, and I am not disappointed that this has not been done.

There are great interests in India which are not represented here. For that reason, if for no other, it behoves us to proceed with care and caution.

So far as the Indian States are concerned, the most important development of the Conference has been the emergence of the idea of Federation. It has been transformed from a distant and hazy ideal into the immediate object of practical endeavour. As such, it has been welcomed by the Delegation of which I am a member. At this stage, however, I feel compelled to lay before you one very important point. Opinions may differ as to the way in which Federation and its implications will commend themselves to the Princes of India. It may be that the great majority will at once accept it. On the other hand, we must be prepared to face the possibility of many dissentients. For my own part, if Federation is to come, no one will be more pleased than I to find it accepted immediately, wholeheartedly and unanimously, by those of my brother Princes, who fully realise its necessary implications. My present point is only this: it has to be recognised that any estimates we may put forward of the speed with which the federal idea will spread and gain acceptance, are conjectural.

We cannot thereby bind anyone but ourselves. Federation has been accepted by the Indian States Delegation, but it has not yet been accepted by the individual Princes of India. The relations of the States are with the British Crown and they are individual. It seems to me to be inevitable that some of the States, whether they be many or few the future will show, but it is inevitable that some will hold aloof from the federal idea, and it is their cause which I am pleading now when I say that Federation must not be forced directly or indirectly on any one of them. They must be secured in the rights and privileges which they enjoy, and the manner of their relation with the British Government must remain unaltered, until they themselves, voluntarily and without compulsion, agree to a change. It may be that 75 per cent. of the States will accept the change; it may be that 90 per cent. will accept; it may even be that 99 per cent. will accept. But if they do, and if only one in every hundred stands out, these few must none the less enjoy real freedom of choice. There must be no breach of faith with them. They will trust to the faith of Britain and the honour of their brother Indians to see that historic pledges are fulfilled, whether by the Government of to-day, or by any succeeding Government on which power may be devolved in the future. I feel sure they will not trust in vain.

Here let me digress for a moment to meet a possible criticism. It may be argued that the States which do not accept Federation,

stand out with the deliberate object of impeding the progress of India as a whole. This will be a completely mistaken idea. Those States which stand out will do so I feel certain, with the object—it may be a mistaken object, but with the sole object of preserving the position and heritage which comes to them from the past.

It is for us to prove that they are mistaken. It is easy to be impatient with those who fail to see eye to eye with us; it is easy to say that it is in their own true interests to accept the change, and that on that ground it is justifiable to bring pressure to bear. This is not the way of statesmanship. The way of patience is the way of peace, and only by patience can the full harvest of mutual trust and confidence be reached, and a feeling of security be engendered.

The advance of political ideas cannot be equally rapid in every part of India. Among the States great diversities of conditions prevail, and there must, I fear, be some whose caution may make them at first unreceptive of the new ideas; unresponsive to the new tendencies. Their hands must not be forced—their confidence must be won. That way and that way only, lies the road to a contented India. Not every nation has yet entered the League of Nations. The Federation of India may in the same way take time to complete. Above all, let it be remembered that the spirit of corporate progress which has animated us in our discussions here is a new one. It is for us to enthuse that spirit into those who have not been here to receive its inspiration at the source. Human nature is obstinate stuff. It needs sympathy and understanding to win over a man to your side. Confidence can either be received nor can it be extracted. It has to be earned. Victory must be a victory of the spirit, by conversion, not by compulsion.

For my own part, I can see that Federation is a high ideal and with reservations I could accept it here and now, but I distrust an acceptance with reservations. When I accept, I prefer to accept without reservations, and in the stage that this proposal has reached, when the Federal structure has hardly been outlined, I do not feel justified in making any commitment on behalf of the conservatives among the States. Personally, I am not opposed to the idea of Federation, and I believe that a scheme of Federation will be devised which I can accept. Till the scheme is before me, I prefer not to give my opinion. Giving a verdict before evidence is made available will be an uncommon procedure. There is one other point on which I wish to say a few words. In the course of a speech yesterday, a proposition was enunciated that Federation is a higher ideal than isolation. For the sake of theoretical argument alone, one can also say that distribution is a higher ideal than stagnation, or that uniformity is a higher ideal than distinction. The truth of all these philosophic axioms I admit. Who would deny that Federation is a higher ideal, but I suggest that Federation is at present an ideal, and it is an unfortunate fact that in human affairs ideal can either not be attained or they can only be attained gradually and by approximation. Farther, until all the Princes of India should strive to the proposition that Federation is a higher

deal, it should not be imposed upon them. We may dislike their views, but they are a factor in the problem which cannot be disregarded. Good and bad men are found in every society, but so far as we are concerned, I can assure you, Sir, that we do realise the advance of time. We realise the necessity for improvement. There may be some differences in the pace, but we are all marching forward, and with the patience and good-will of our countrymen. I feel sure you will not find the Princes lacking in any respect in the discharge of their duties and in looking after the interests of their people.

I have little more to say. I take back with me to India warm and lively memories of friendship and hospitality offered in generous measure; of patience and understanding in the handling of our problems; of unflagging sympathy and unfailing good-will. I go back with my traditional loyalty to the Crown broadened by a fuller understanding of the bonds that hold us together. I for one am convinced that Great Britain wishes India well, and is ready to give her the best help of all, by helping her to help herself. I believe that the future will bring again a full measure of happiness to my distracted land; that the welter of strife, jealousy and suspicion, will subside, and that the sun of prosperity will again shine on an India once more content. If this be the result of our labours, then even if the final scheme to be evolved differs largely from the expectations with which we came and returned, we may take pride to have played our parts in these days of stress at the Indian Round Table Conference.

Mr. Basu: The decisions about which there has been the largest measure of agreement are such as do not, in many respects, come up to the ideal cherished by a large section of the Indian people. There has been a feeling that vested interests have sometimes been attended to even in disregard of the ordinary rights of the people. We have at times not fully realised the strength of the forces behind the present movement in India. It has to be realised that it is not only the intellectual classes but a large part of the masses of India that are concerned in the movement. The intense desire to attain self-rule and the status of a self-governing people which has been impelling the people of India to suffering and sacrifice month after month, has not been brought prominently before us in our deliberations.

The history of India for the last twenty-five or thirty years will show that in consequence of that impelling force not being taken into account, disaffection has become deep seated and has spread rapidly and extensively, and there is now an active distrust of Britain and her intentions which, if not dispelled soon, is likely to crystallise.

Where a frank gesture of friendliness as I trust might have drawn Britain and India closer, the discussions have often sought to tone down suggestions for advance with a heavy admixture of safeguards, the interpretation of which, to a large section of the

Indian people will be that Britain expects India to trust her, while she herself does not trust India.

Matters which are not of much moment in the actual day to day life of India have been magnified into big barriers in the path of India's progress. Communal differences and the question of minorities have been discussed in a manner which suggests that such differences do not exist anywhere else in the world, and as if all countries where there have been communal differences have in consequence lost all title to self-rule. It has been ignored that the different communities in India have been used to living with one another in amity every day of their lives for many centuries. There are occasional clashes, but they are far from frequent and are infinitesimal when compared with the number of amicable contacts. To the millions of India who have neither the leisure nor the inclination to think and feel in communal terms on matters of State which affect all communities equally, the emphasising of communal differences means so much attention diverted from their welfare.

The millions of India want a better standard of life and they want progress. They want to send to the Legislatures men who will work for their welfare and uplift. They want to choose their representatives on that ground, and not because they are of a particular religious persuasion. If the discontent of the masses is to be allayed, the sooner we cease to talk of communal differences the better, not only for India but for the future relations between Britain and India. I trust the people of Britain will see the real inwardness and purpose of Indian life and, whatever may be the decisions of the Conference and the attitude taken up by the Delegates, individually or in groups, I trust that the strong current which has commenced to swing, and which is gaining momentum at every step, will not be impeded by artificial obstructions. A hesitating, little hearted measure would not have satisfied Britain if she had been in our position, and will not satisfy India.

We from India, Sir, have appreciated the sympathy with which attempts have been made in this country to understand our difficulties and our aspirations. The Lord Chancellor has stated that this Conference is only the planting of a seed. He has assisted at the planting of that seed, but it is the spirit in which we water it and tend it that really matters. I earnestly trust that the spirit in which Lord Sankey has assisted in the planting of the seed will animate all in this country and in India who are interested in the growth of the tree of our vision. I add my tribute of grateful appreciation to the kindness and hospitality which we all have met with in this country.

Khan Bahadur Hafiz Hidayat Husain: If one surveys the work of the Conference, one cannot but be struck by the extent to which mistrust has been replaced by confidence, with such rapidity that it is not easy to believe what has really been achieved. So far, Sir, I think the work of the Conference will always remain indestructible. I am sure that a solid foundation has been laid, and with that solid

foundation, Sir, your name will ever be associated as one who has had the sincerest intentions towards India.

The future constitution of India will, I am sure, be such as to safeguard not only the interests of the majorities but also the interests of the minorities. The picture which has been drawn by the Lord Chancellor may fail to be of value if the finishing touches of the artist are not given to it. The plant to which Lord Sankey has referred may wilt in the uncongenial atmosphere of India if it is not planted on a congenial soil. No constitution in India can work, it is a truism to say, if it does not give to India autonomy and responsibility. In these two attributes of the future constitution of India every minority wants to take its legitimate share. Lord Reading, who was applauded so much for his speech, has given the reservations which were latent in that speech. The Conservatives have not blessed the picture painted for them. It has been expressly stated that the minorities and the Depressed Classes were definite in their assertion that they could not consent to any constitution providing self-government for India unless their demands were met in a reasonable manner. I hope that our future deliberations will contribute to the solution of this question in such a way that it will meet the reasonable demands of the majority and the minorities.

Speaking of the Muhammadans of India, I can always say that our attitude has been, as true and patriotic citizens and children of India, to contribute to the general welfare. We have played our part and we will play our part, and I hope that in the future deliberations the contributions of the Indian Mussalmans will not be insignificant. I hope also that the constitution, when it is finally placed before the British Parliament, will be such as to eliminate all those suspicions and that distrust which are at present so evident.

I devoutly hope, Sir, that when we return to India the position will be such that we shall feel we have contributed something to bring us together for the common weal of India.

H.H. The Maharaja of Dholpur: Mr. Prime Minister, I have to thank you for allowing me at this stage of our proceedings to express my own sentiments as to the work which we have been able under your skilful and sympathetic guidance to accomplish. When this Conference opened some nine weeks ago, the prospects before us, as most of us felt, were none too hopeful. The situation in India was serious; those of us who are charged with the duty of informing His Majesty's Government of the political sentiments which exist in our country made, I hope, no secret of our belief and reading of it. We have worked at the Conference for nine weeks and we have tentatively arrived at some definite proposals. In a sentence, we have laid down the foundations of a United India. That there are many difficulties still to be solved, many questions to be answered, no one will deny.

In reaching this consummation I am happy to think that the Indian States have played an important part. As has been recognised on all sides, their willingness to work for the federal ideal has

marked a turning point in the fortunes of the Conference. There is still much to be done, there are still many details to be filled in, before their final adherence to any federal scheme will be possible. But I can clearly claim that I and my brother Princes have shown not merely a willingness to contribute our characteristic contributions to the progress and stability of India as a whole, but also are desirous to consider in the friendliest possible spirit any just scheme put forward by British India with an object of accomplishing this end.

Mr. Prime Minister, it has been repeatedly affirmed in the many stages of this Conference, that all the opinions expressed must be taken as tentative rather than as final. The adherence of myself and my brother Princes to the general principles laid down by the Conference sub-Committees naturally partakes of this general characteristic. Until we see the final shape which the picture will assume, we cannot clearly distinguish the part which we shall occupy within its frame. But this much, I am quite sure, I am justified in saying. The Princes of India will do their best to see that the progress of the country is advanced in a true sense. We will use our limited and humble influence in order to promote the welfare, not merely of our own subjects who are always so near our hearts, but also the welfare of the country as a whole.

The reason which impelled the Princes to take up the attitude they did is not far to seek. They saw that great forces of disruption were arising and a mighty upheaval was coming in political India. They realised their twofold duties towards the Crown and towards the country. Our attachment to the Person and the Throne of His Majesty the King Emperor needs no proof. From the time when the connection of Britain and India began the Indian States have been true to their treaties, and have faithfully observed those chivalrous obligations of honour to which the treaties gave rise. Along with it, we have the fullest confidence that India is destined to be as great in the future as it has been in the past. With these two cardinal principles before us, we set about our work. We believe that there is no conflict between the real interests of India and her connection with Britain. We are, on the other hand, convinced that this has been devised by Providence for the benefit of both countries and for the evolution of a greater and nobler culture, which would unite the East and the West in indissoluble bonds of mutual understanding and goodwill.

Mr. Prime Minister, I do not desire to indulge in any false hopes. I am not blind to the difficulties with which we are confronted. He would, indeed, be an over-confident individual who would proclaim at the present moment that our work was over. Much still remains to be done, many problems cry aloud for solution. But I think that I shall be justified in saying that the spirit that has animated our Conference is the spirit by which all problems of India will be solved.

And I should like in this connection to pay my personal tribute to you, Mr. Prime Minister, to the Lord Chancellor, and the popular

Secretary of State for India, to all those members of His Majesty's Government, as well as to the representatives of the great political parties of Britain who have contributed so much to the progress that has been made. I cannot refrain from acknowledging the manner in which the representatives of British India have appreciated the peculiar position in which the Indian States stand to-day. And in this connection I should not be surprised if one of the greatest gains which have accrued to India during this Conference, should not prove to be a better understanding between the Indian States and British India which has grown up during these last few weeks. Mr. Prime Minister, the difficulties which loom before us are still formidable; but, at this historic gathering, I venture to think, that, we have all of us developed that spirit by which difficulties are overcome. I pray that the blessings of Providence may rest upon the labours of the Conference, and when the Conference for us is to finally close I hope all opinions and parties will really feel grateful, united and satisfied.

But, before I conclude, I must give expression to the satisfaction I feel at the results of the Conference. Nobody imagined that the gigantic task of framing the future destinies of one-fifth of the human race could be accomplished in the short span of a few weeks; but it gives no small satisfaction that the basic principles of the scheme have been outlined. And more than this; we, belonging to India and Britain have, by working together around this Table in an atmosphere than which nothing could be more friendly, have been able to understand each other. While the British Delegation has realised the position of India, let me assure them that it has been amply proved, if it required to be proved, that Britain desires sincerely to help India forward. When we came, we came with many misgivings and anxieties as messengers of India to apprise Britain of the real feelings of the people of India and to find out a remedy. I feel now, and I hope every other Delegate from India will join with me, when I say that I am returning to India as a messenger of Britain, carrying her cordial message of good will and sincerest friendship to my beloved Motherland; a message which I hope will be understood and responded to.

(At this point the Prime Minister was called away and Lord Sankey took the chair.)

Lt.-Col. Gidney: Mr. Chairman, I have very few remarks to make at this stage of our deliberations when the curtain is about to fall on the Round Table Conference. Before we commenced our meeting to-day I was a happy man, happy in a feeling of deep gratitude to my Indian brothers for having passed a resolution in the Services sub-Committee which was ratified at a whole Conference Committee this morning which afforded some consideration to my community. But, Sir, with the Hindu-Muslim controversy still unsettled, and the refusal this morning of my Indian brothers to recognise the vested and commercial interests of Europeans in India, I feel very pessimistic regarding the future self-governing India.

under the majority rule. I shall not indulge in any language that might be misunderstood or appear ungrateful, but I want to say, Sir, with all the emphasis at my command, I feel, with this uncertainty, with these two big problems still unsettled, that we, the minorities, are still living in the land of conjecture and consideration and if I may add grave apprehension of our future in India. I hope I am wrong.

With these bigger interests still unsettled, I am seriously thinking what will be the position of the minorities. Each one of us has stressed as well as we could that we require adequate statutory protection in the future constitution of India, and I feel sure that members of all minority communities will join me when I say that we are gravely apprehensive unless we do receive that protection. Remember the settlement of the Hindu-Muslim problem is not the only one at this Conference. The settlement of the other minorities is also of great, if not of equal importance; and I would ask you, Sir, in settling the interests of these minorities and the labour interests of India that you and your Government will clearly realise what we demand. We do not ask for a continuance of such transitional and academic protection as has been afforded to us in the 1919 Government of India Act, during the past decade. That protection is to be found in the instruments of instruction to Governors, and is merely of paper value, for not one of our interests has been adequately protected in the past. We are now developing a new constitution for India, but we still feel so apprehensive that it makes us all the more anxious, Sir, indeed we are determined to stress para. 18 of the Minorities Report. Para. 18 of the Minorities Report was before the sub-Committee a few hours ago, and with the other minority communities, I join in our demand for adequate statutory protection of minorities with Courts of appeal: otherwise we, I am sure, cannot and shall not be a party to any new constitution.

The needs of my community are very few—economic and educational, but if these needs are not to be statutorily protected, our future is indeed perilous. You know as well as I do, Sir, what my needs and their remedies are, so I shall not again detail them. But I do ask you, when the new constitution is being framed, that you will not fail the minorities in affording them adequate and ample statutory protection, and in particular do I ask for the Anglo-Indian Community occupying as it does a singular position—a class of His Majesty's subjects whose peculiar interests you cannot fail to recognise nor deny protection, because its claims are not only just but constitute a moral and honourable obligation on every Britisher and Indian and who are our joint trustees in the new India.

Mr. Gavin Jones: Lord Chancellor, first I wish to thank the Prime Minister, who has presided over this Conference, and yourself, Sir, who have presided over the Federal sub-Committee, for the unfailing courtesy and patience with which you have treated us. The success of this Conference is due to the fact that you, Sir, and

the Prime Minister, have fulfilled the duties of Chairmen with consummate skill.

I also wish to pay tribute to Their Highnesses and the representatives of the Indian States for the patriotic statesmanship they have shown in coming forward willingly to federate with British India. They have shown statesmanship both in the interests of all-India and in their own interests, for it is quite certain that whatever happens in British India will have its repercussion on their peoples. Moreover, India has now become a protectionist country, and they are wise in wishing and endeavouring to guide that policy. In fact it is their right to do so.

I very much doubt whether the British Parliament were right when they concluded the Fiscal Convention with the present Legislative Assembly with no representation from the Indian Princes. That, Sir, is taxation without representation.

The great problem of India can only be solved by a federation of all-India, and although there are many, many great difficulties in the Indian States before the problem can be solved, I consider that the problems in British India are far greater because we have still to create our constituent States. This is where I have great fears in regard to this future Federation in which I am keenly and enthusiastically interested in seeing that it is successful. My reason for this is that the British Parliament have, I think, made rather a fetish of democratic institutions, and have forced upon India at too rapid a pace democratic institutions for which they are not prepared.

In support of this contention, I will only quote two things which, I think, confirm my contention. One is that since the introduction of the Montagu-Chelmsford Reforms, the Congress, which at one time was a reasonable party, has now become a revolutionary party. That would not matter if it were not for the fact that there is no effective opposition in the country to that party among the Hindus. I maintain, Sir, that if you cannot find sufficient men in a country with loyalty to institutions, respect of law and order, and the moral courage to oppose revolutionary propaganda, that strikes at the root of democratic institutions.

The second thing I wish to note in regard to democratic institutions is that India is not homogeneous, and that it will be a long time before India will be homogeneous. It is more varied than even the nations of Europe. I think the British Parliament now understands that separate electorates are absolutely essential. This really strikes at the root of pure democracy. But I maintain that India can progress without basing everything on a pure population democratic basis. Democratic institutions had their birth and origin in the City States of Rome and Greece, but when Rome expanded into a large heterogeneous Empire, they had to abandon democratic institutions. Democratic government is an urban institution, and India is 90 per cent. rural and heterogeneous.

I should like to quote Sir Mirza Ismail, an Indian statesman, when speaking of Bangalore, in referring to the Indian State. He

said that it is in the Indian States where the ancient customs and hallowed traditions can best endure, and he shrewdly added that, after all, European countries are beginning to doubt whether democratic institutions are the best form of government.

Now, are the peoples of British India very different from the peoples of the Indian States? I do not think so. Have not the people of British India hallowed customs and traditions? They have, and we ignore them at our peril. The British have done much for India; they have created a new India in the towns, and in those towns democratic institutions are beginning to develop, but the countryside, rural India, remains substantially unchanged. Great Britain has united India as she has never been united before, but I am beginning to fear that she is failing intellectually in that she is endeavouring to force upon India institutions which are foreign to India, and which I am afraid may, unless we handle them with great care, bring India to grief. My Indian friends here are very fond of quoting from Edmund Burke. Let me quote one of his passages in which he states that "a State is a partnership not only of the living, but a partnership of the living, of the dead and of those who are still to be born." I very often feel that we are apt to forget the partnership of the dead, and thereby we are risking the future of the living and of those still to be born. Therefore, Sir, I would plead with the British Parliament not from their own point of view and from the point of view of their own institutions, valuable as they are to homogeneous Great Britain, but from the point of view of a vast sub-Continent.

I do not wish to go back on the announcement of 1917, but I wish it to be clearly understood that if democratic institutions are to be developed they must be developed gradually. The first thing, Sir, is to consider the franchise, and the Franchise sub-Committee's Report does not altogether please me: it is too vague and too nebulous. I dare say that that is an advantage, because it has got to be considered by another Franchise Committee hereafter. But I am very interested to see that the urban constituencies are separated from the rural: that is to say, that the franchise is so arranged, and the representation is so arranged in the Legislatures, that the urban interests will really be represented. While I was a member of the Council of the United Provinces, out of 100 elected members 41 were urban lawyers, and yet there were only 12 urban constituencies. Therefore the Franchise Committee that will be formed should very carefully consider the best way to represent the real interests of 90 per cent. of rural India.

Another point I would like to emphasise as a safeguard for this democratic development of the Provincial States is that Second Chambers should be introduced without doubt, and that they should be made strong and have powers so as to steady and control the development without allowing the mob to run away with the Council.

Another point I want to emphasise is a point with regard to the Services. Now, the Services are really vital to India and I maintain

that the League Commission's recommendations must be maintained for some considerable period, because it is the backbone of the government of rural India. You must maintain the best that you can get in the rural areas. Also, Sir, we must see that the Frontier Army is kept sound, because there are people over the border waiting to pounce upon rich India, including Russia and many countries up north, and we must therefore guard the Frontier and keep our Army efficient. Lastly, Sir, I would like to quote from the Prime Minister's wise words which he uttered at a banquet given by His Highness of Alwar: "Constitutions are made by the minds and from the experience and history of the people, and only in so far as we are successful in uniting the past with the future, shall we be successful in helping India to real political liberty."

Dr. Shafa'at Ahmad Khan: Mr. Chairman, I rise to express my views on the work of the Round Table Conference. I do so with mixed feelings. I do not do it with a feeling of unalloyed satisfaction, nor do I do it with a feeling of unrelieved depression or gloom when I contemplate what we have accomplished. I wish to be as objective, as impartial as I possibly can. Sir, in the consideration of the work which we have accomplished, it is always best, in my opinion, to take the credit and also the debit side of our account. The one question which I regard as fundamental to the solution of some of the important problems with which we are confronted in India at the present time has not yet been satisfactorily settled. I refer, of course, to the Hindu-Muslim problem. I regret to have to state it; I am sorry to have to refer to it; I do so only because I shall be failing in my duty to my community if I do not bring this matter prominently before the English public.

It is a view which has been held by all persons who count, persons of influence and reputation, that we cannot say whether a constitution is good or bad unless we know how it is worked and who works it. If you tell me, or anybody tells me, what the forms of the Central Legislature in India are going to be, I must ask him who is going to work it. I must ask him who are the men who will control the machinery and acquire power in the Central Government. I am by no means thrilled when I am told that it is going to be very democratic. I do not object to it at all; but I am entitled to know what the communities and classes will be, of which the new Central Legislature will be composed. The constitution of Mexico is one of the most perfect pieces of machinery one could think of. On paper it is almost perfect, perfect in the amount of liberty conferred on the individual, perfect in the grant of power to the Legislature, perfect in the subordination of the executive to the Legislature and the realisation of the more up-to-date principles of parliamentarism and democracy which have been made so familiar to us by the glorious example of the American system. Yet how does it work in actual practice? My reply is that it does not work at all. Mexico has no constitution. There is a revolution every six months. As Lord Rice informs us in his classical work on "Modern Democracies," it is one of the most remarkable pheno-

with the problems of their States. Of course they do not like it, and do not want it. We do not want either, and want to confine ourselves to our own problems. But the irresistible march of events will shatter that wall that separates the two Indias into innumerable fragments. I am visualising the future and projecting myself into futurity. What I mean is this. When the representatives of the Princes in the Assembly vote upon and discuss questions concerning British India, their States are bound to be ultimately subjected to discussion by people of British India. When the Princes take an active part in British Indian politics, representatives of British India would also like to exercise the right, nay, discharge the duty, of discussing problems of Indian States. I want to emphasise this point, because I believe it will be found in actual working that the Princes cannot build a Chinese wall round their States. Not only will they or their representatives have to come in regularly to the Assembly but there will be so many shuttles of suggestion, imitation, influence, and example working, sometimes openly and vigorously, at other times imperceptibly, that the distinction between British India and Indian States will disappear, for all practical purposes, and India will act as a united, homogeneous country on many important problems.

This is, Sir, my conviction. If we apply this test, and this test only, we are justified in saying the proposed constitution has been the greatest means of bringing about the unity and the solidarity of India and the complete fusion of the various classes that constitute Indian society.

Sir, I should like to refer to one or two other points which have been covered by the Reports of the various sub-Committees, and I would in particular draw the attention of this honourable body to the excellent work done by the Services sub-Committee. Previous speakers have already referred to it. A closer examination of the sub-Committee will show principles for which Muslims have been striving and fighting for a long time have been recognised. I refer in particular to the principle of securing fair and adequate share in the public services to all communities, and to the portion dealing with the Anglo-Indian community. I am sure everybody here will admit that that community has done great things for India, and that the sub-Committee has acted in a very just, nay, generous manner.

Before I sit down I should like to make the attitude of the Muhammadans of the United Provinces quite clear. We have never on any occasion opposed any advance either in the Centre or in the Provinces. We have never tried to create an Ulster in India; that has never been our desire or our wish. On the contrary, we have said that we will fight shoulder to shoulder with our brethren for the cause of India, the cause of our common Motherland. But, while we have said that, we have at the same time made it perfectly clear, as clear as we possibly can, that our safeguards, our rights, the rights for which we have been fighting for years must be preserved and guaranteed; and before I sit down I must repeat that the demands of our community embodied in the Delhi resolution have not been

met, and the Muslims of United Provinces will most certainly be disappointed at this aspect of the work of the Round Table Conference.

Mr. Shiva Rao: Now that the proceedings of the Conference are drawing to a close, I want, on behalf of my colleague Mr. Joshi and myself, to make a very brief statement to indicate the point of view of the Indian workers. Let me say at once that we cannot entertain any warmth or enthusiasm for the principles of the new constitution which have emerged as a result of the discussions in the various sub-Committees. We wanted a statutory declaration of the rights of labour; labour legislation and its administration to be a Federal subject; the right of implementing international obligations, and particularly the conventions of the International Labour Conference, to be a concern of the Federal Government, the introduction of adult suffrage, and, lastly, if special interests were to continue to enjoy the rights of separate representation, adequate representation of labour in all the Legislatures.

Sir, we cannot but express our misgivings that in the new constitution, unless a radical revision is made in the later stages of discussion, the position of the workers will not only be not better than it is to-day, but in some respects it will be definitely worse. We are not certain of the statutory declaration of rights. According to the Report of the Federal Structure sub-Committee, labour legislation is not to be a Federal subject but is to remain a Central subject. The plain meaning of this is that labour in India will have to be prepared hereafter for strenuous opposition in the Federal Legislature from the capitalists on the ground that that legislation will not apply to the Indian States. Moreover, such protection as has been afforded during the last ten years to the Indian workers by the International Labour Organisation at Geneva will cease to be effective in a Federated India. There can be no question in future of ratifying the conventions and recommendations of the International Labour Conference under the new constitution.

Not only adult franchise but even a wide extension of the franchise was opposed by certain members of the Franchise sub-Committee. We do not know how far the claims of labour for adequate representation will be met, but there is no gleam of hope in any of the proposals that have so far been made, either by the Government of India or by the various Provincial Governments. We must point out that if the rights of the workers are ignored there is bound to be a serious upheaval amongst them.

Sir, at this Conference other voices—those of the Princes, the capitalists, the landlords and the middle classes—have tended to drown the cry of the under-dog. The masses in India have little or no concern with the controversies and the disputes which have figured so largely in our proceedings. Their essential needs are food, education, housing, sanitation and the barest necessities of life, which are in millions of cases beyond their reach to-day. Will the transfer of political power from a foreign government to a

combination of representatives of the Princes (nominated, not elected), landlords and capitalists make an appreciable difference to the masses of the Indian people?

Sir, let us not overlook the significance of what is happening in India today. There is a revolutionary spirit working in the sphere of politics. How far the legitimate aspirations of the Indian nationalists will be satisfied by a constitution so full of reservations and qualifications in every aspect of it, I shall not attempt to say here, but the solution of India's political troubles will not be the end of the period of unrest; the relations between landlords and tenants, and employers and employees, will have to be suitably readjusted before India can have peace. Let me record my firm conviction that the real problems of the India of to-morrow are economic and social.

Sir, Mr. Joshi and I have been asking ourselves during the time that this Conference has been sitting, what message can we take back to the workers in India. So far we fear we have not been able to formulate one that would assure them that their interests will be safeguarded. We shall be failing in our duty at this Conference if we do not make it perfectly plain that a constitution which keeps labour legislation outside the jurisdiction of the Federal Legislature, which deprives the workers of the protection which they have enjoyed so far as a result of India's membership of the International Labour Organisation, and which is based on a very restricted franchise, can never be acceptable to the Indian workers; and we hope, Sir, that before the principles enunciated here are translated into a Parliamentary measure, these fundamental defects will be removed.

Diwan Bahadur Ramachandra Rao: My Lord Chancellor, we have now arrived at a stage in our proceedings when we are called upon to make some concluding observations on the whole work of this Conference. Many decisions have been taken, many points have been reserved for further investigation, and the method and manner in which this further investigation is to be conducted has not yet been referred to. Without anticipating anything that you and the Prime Minister may say as regards the method of this further investigation of points that have been reserved for further consideration, I trust that machinery will be devised which will be satisfactory to this Conference and to the people of India for these further stages which are absolutely necessary to complete the work of this Conference.

I need not say that the results attained so far have received the willing assent of the thinking people in India, and that many deviations from the general framework settled in this Conference will be generally in conformity with the public opinion of India, and that it will adequately meet all the national aspirations of the people of India.

Sir, in order to produce a satisfactory atmosphere in India for the consideration of the results of this Conference, I also venture

I think that a change of policy in regard to the present political situation in India is also absolutely necessary, and I trust that before we disperse from this country we shall have the satisfaction of hearing from the Prime Minister and yourself that there will be these adequate measures to produce that calm and satisfactory atmosphere in India for the consideration of the whole subject of Indian constitutional development. As you know, Sir, many of our countrymen are now in jail, and some of the leading and most influential men are not able to give any attention to this subject till the steps which I advocate are taken by His Majesty's Government in this matter. I can only say this, that without adequate consideration of all those people, members of the most influential organisations in India, who are not able to give any attention to this subject, I do not think that the work of this Conference will be complete in any manner whatever. I need not say much more on that subject, Sir, and I trust that we shall depart from this country with the satisfaction of knowing that the Government of Great Britain have done everything to give us in India an opportunity of discussing the various proposals made in this country with those who are not now here. You have already said, Sir, that there are many wise men in India, and I hope that those wise men will be given adequate opportunities to examine the whole of the scheme and to make their contribution to the work of this Conference in any manner that may be decided upon hereafter.

Sir, there are two other remarks that I venture to make. We have evolved a constitution which I trust will not be departed from in regard to the spirit in which it has been made. Many deviations will be necessary in the scheme, but I trust that whatever may be done in the future, the essential framework that has been settled here will be adequately kept in mind by those who may have to deal with it in the near future.

Another matter that I should also like to say is this, that the further progress of the work of this Conference should not be done in the same leisurely manner as has been done in regard to previous constitutional development, namely, years and years, the matter being again referred to the Government of India, and then the Provincial Government, and then the whole thing to come up again for reconsideration here. The various stages will have to be speeded up if the work of this Conference is to be successful. Delays are dangerous in putting off things from time to time, and I also venture to think and impress upon you and other members of His Majesty's Government that whatever machinery you devise, it should work for economy of time and speedy progress of the scheme that may be ultimately adopted.

Having made all these preliminary remarks, the only matter to which I should make reference is the question of the finance of the whole scheme. We have had no occasion or opportunity to consider how the Federal Government is going to get on, and what the financial arrangements of that new constitution will have to be. Sir Walter Layton's scheme was conceived under entirely different

conditions and I really do not know and cannot say whether those proposals will fit in with the Federal Structure that you have devised, and with the Provincial constitutions which will work under your new scheme. Therefore, Sir, I think that the whole question of finance has still to be examined, and we shall have to go very carefully into the question of financing the Federal Government as well as the Provincial Governments under this new constitution; because, after all, without adequate finance no Government can succeed, and one of the difficulties of the Montagu-Chelmsford scheme has been want of adequate finance in the sphere which has been transferred to Ministers in the Provinces.

Sir, something has already been said by my friend Mr. Jayakar to the effect that an attempt should be made here and now to transfer at least some portion of military control to the Minister in the Federal Government. I entirely agree with him, and I suggest that a Committee should be set up immediately to consider ways and means for effecting this transfer and separation of administrative and legislative as well as financial control in regard to the Army which vests now entirely in the India Office. On this matter so great an authority as the Esher Committee have made this observation: "We are at the same time confronted with evidence of the continued reluctance of the India Office to relinquish into the hands of the Government of India greater freedom in the administration of the Army, even in cases where this could be done without compromising the administration of the Army at home or contravening the sound principle of uniformity in military policy. We are strongly of opinion that greater latitude should be allowed to the Governor-General in Council and the Commander-in-Chief in India in matters affecting internal military administration, in order to secure efficiency and especially the greater contentment of the Army in India."

Now, Sir, I venture to think that if in regard to Army administration and Army finance the existing state of things is to be continued, because it is to be a reserved subject, and the India Office will undertake the same meticulous control with regard to financial administration matters with regard to the Army, the position will be entirely hopeless. I think that this question requires immediate consideration, as does also the question of reducing Army expenditure in India.

The whole of the scheme will be judged in India by the consideration as to what extent India will be able to defend herself in future: and if no adequate arrangements are made, and if any scheme is devised either with any mental reservations, or with the idea of not securing adequate and satisfactory advance in regard to Indianisation, I may say at once that the old state of things will continue.

I was a member of the Skeen Committee, and I can inform you that this question of the Army and the Indianisation of the Army, and arrangements to enable Indians to shoulder responsibility for the defence of the country, was said to be the fundamental frame-

work of the new constitution. If there is any failure in this respect, I think the whole of the scheme will be rejected in the country. I therefore appeal to you, Sir, and the British Government, to say that this question of determining the pace of Indianisation should be examined as carefully as possible, and that a very generous measure of Indianisation should be initiated at once.

There is only one other matter with which I want to deal, and that is this. We have been informed that a Committee has been appointed to go into the question of the financial adjustment between Great Britain and India in regard to capital charges and other matters. These questions have been pending for a long time. I trust that the terms of reference to that Committee will be published in India and that the enquiry will be public. In that way an opportunity will be given to those who are interested in this matter to ventilate their views with regard to the reduction of military expenditure and also for a proper distribution of expenditure between Great Britain and India. This is one of the matters which has been agitating public opinion in India for several years.

I do not wish to add anything more except to say that I am in an optimistic mood, and that I trust that the whole of the scheme will be received in India provided adequate safeguards and transitory arrangements are made, for responsibility to be transferred as early as possible.

Sardar Ujjal Singh: This Conference has achieved a large measure of success in many directions. Let me say at the outset that the great credit for the success of this Conference is due to the Prime Minister, because of the deep sympathy and interest which he has taken in the Conference. It was sometimes a miracle how he kept himself cool and collected in the midst of heated discussions.

Next to the Prime Minister, you, Lord Chancellor, deserve the sincerest gratitude of all of us for the way in which you have conducted the deliberations of that most important sub-Committee, the Federal Structure sub-Committee. No one knew more about the subject than you did. You always came prepared with a wealth of detail and information. You were all sweetness and courtesy personified. It is due to you mainly, and to Lord Reading's statesmanship, that the most difficult and the most important constitutional problems have been solved with such a substantial measure of agreement. The Secretary of State for India's interest in India's aspirations has always been felt behind the scenes. The Chairmen of the various sub-Committees also deserve our sincere gratitude for the way in which they have conducted the deliberations of the various sub-Committees.

The outstanding features of the Conference have been the Scheme of Federation and responsibility at the Centre. Federation no longer remains a distant ideal, as it was when we left the shores of India. Thanks to the patriotism and broad vision of the ruling Princes, that distant ideal is now almost an accomplished fact. The

remain part and parcel of the constitution, the Majorities, therefore, should be generous to the Minorities. Let the Minorities feel that they have a sense of security and that they are fairly protected. When they do so they will march along with the Majorities. The Majorities should take a lesson from Egyptian history. When a similar problem confronted Egypt, Zaghlul Pasha, the great Nationalist leader, agreed to give to the Minority in full what it wanted. When that offer was made in a generous spirit, the Minority took advantage of it in a reasonable manner and the whole question of the Minority was solved. If the Hindus would treat the Muslims and the Depressed Classes in the same sort of way, and the Muslims in the Punjab would treat the Sikhs in the same spirit, the nervousness in the minds of Minorities would disappear. We would then forget our minor differences and work for the betterment of humanity and our starving country as children of the same soil. I do hope that before the new constitution is brought into final shape we shall be able to solve this problem also.

Further, Sir, I should like to make an humble suggestion for which I think there is a great necessity. We all realise that this constitutional scheme is going to be thrown open for discussion and constructive criticism in India, and I wish, all of us wish, that this scheme should be discussed and that opinions should be expressed on it in a spirit of goodwill and in an atmosphere of peace. To ensure that point of view, I would beg all the British statesmen here to consider, and the Prime Minister and the Secretary of State for India particularly to consider, that if you release the political prisoners, not connected with any violent crime, it will create a healthy atmosphere in which all these proposals will be considered in calmness, peace and goodwill.

Finally, Sir, I have to thank all the British people for the great hospitality they have shown us all throughout our stay in this country.

Sardar Sampuran Singh: There is one thing which I must mention. We are all astonished at the wonderful patience and unruffled temper which all the British statesmen and politicians have shown throughout the proceedings of our Conference. I must submit that this is a great historic occasion, this Conference and the greatest point that we have achieved in this Conference is the bringing of the Indian States into the Federal Government. The idea of thinking of India as British India and Indian India always sounded like a sort of separation which never gave pleasure to the mind. Now there is something common in the whole country, so that when we say India we can always mean the whole thing. I repeat the idea, Sir, that we have sown a seed of mustard, and I would submit that it is still a seed of mustard—the relation between the States and British India. No doubt a great foundation is laid, but I will say unless that plant comes up and grows, and these relations are made stronger, till then I would always look upon this little plant with a certain anxiety, and I am sure that all of us will continue to water that plant every day and look how many leaves

are coming up every day. If with that anxiety we look after that plant and take care of that plant, I feel sure that it is going to develop into a very big thing indeed.

Another great thing which we have achieved here is that we have removed a lot of misunderstanding between the British and the Indians by coming into direct touch with British statesmen here, and I am sure that when all of us, who with our advisers and others make more than 100, I think, go back to India and spread all over that big land and talk about your intentions, and assure our countrymen that you all mean well to India—I feel confident that there is going to be a good feeling very soon created between this country and my own land.

There is one thing that I would like to submit to the Rt. Hon. the Secretary of State for India, who happens to be absent at this time, and that is that this constitution may take time to be completed; but there is one immediate necessity in India, and that is the economic necessity. There is no doubt there is a slump all over the world, but we have a saying in India—I might first repeat it in Punjabi, and then translate it—" Nangi nahaigi kia aur nichori gi kia " *i.e.*, " If a woman bathes nude, she would have nothing to rinse water out of." So India is already very poor, and in this slump her condition has really become extremely critical, and she requires some immediate remedy. India cannot afford to wait; they want just bread and butter to live, nothing more than that at present, and so I would submit to the Rt. Hon. the Secretary of State for India to attend to that immediate need of India at once, and not wait till the constitution is completed.

One thing more about this question of finance. We have seen Sir Walter Layton's Report; I am afraid we have not discussed it much, but the point which he has raised in that Report about taxing the agricultural income will hit very hard those innumerable people, those millions of people who are really the loyal subjects of His Majesty, because land already does not bear anything in India. I need not go into details, but this is a fact which can be gone into later on; but I would submit that this point should also be made clear as soon as possible, because land is already so heavily taxed. According to the theory of the Revenue Department it can be taxed up to 50 per cent. of its net income; and, as you know, the Revenue Department of the Government of India must have fully availed themselves of that rule, and there cannot be much scope left for taxing the land income.

In the end, Sir, I would just thank the British statesmen who are members of this Conference, and the British public in general, who have really been so kind to us during our sojourn in this country.

(The Conference adjourned at 5-20 p.m. until Monday, 19th January at 10-30 a.m.)

Plenary Session, 19th January, 1931.

H.H. The Maharaja of Patiala: Mr. Prime Minister, now that the deliberations over which you, as head of His Majesty's Government, have presided with such conspicuous tact and sympathy are drawing to a close, you will not be surprised at the desire which many of us feel to take stock of the progress which has been achieved. We met in an atmosphere which, though not without its gleams of hope, was almost oppressive in the responsibilities which it cast upon us all. The representatives of the Indian States and of British India alike, though conscious of the earnest desire of His Majesty's Government and of our British colleagues to understand and to consider India's claims, were uncertain as to what response our advocacy of these claims would evoke. On the British side also, there must have been a large measure of uncertainty as to what form the demand of the Indian representatives would assume: as to whether communal difficulties would hinder unanimity among the British Indian representatives: as to whether the Indian States and British India would hold divergent views in regard to the powers and functions of the future governmental structure. Fortunately, as the Conference proceeded with its work, many of these doubts and difficulties were cleared away. The communal problem and the problem of the minorities still, alas, remain, despite the best efforts, for which the whole of India must be grateful, of statesmen from the British, the British Indian and the Indian States side. But it is encouraging to notice that these difficulties have not hindered the unity of the demand, put forward from the British India side, for political advance. Nor, it must now be plain, has the peculiar position of the Indian States, with their nexus of rights and obligations linking them to the Crown, prevented their representatives on the Conference from associating themselves wholeheartedly with the representatives of British India in working for the common advancement, honour and dignity of India as a whole.

Some surprise has been expressed, Mr. Prime Minister, at the readiness with which the Princes and representatives of the Indian States have accepted the idea of Federation, and have proved their willingness to make the sacrifices of sovereignty which they will necessarily entail. Yet long before the meeting of the Conference, we made no secret of our belief that Federation offered the only possible method by which the Indian States and British India could join together in building the Greater India which was a prerequisite to Dominion Status. We were not blind to the difficulties involved: for Federation in India presented problems which were unique, alike in their magnitude and in their complexity. But we believed that they could be faced and overcome. Thanks to the efforts of our distinguished friends from British India, this Conference has now advanced to a stage where I think it can fairly be claimed that we have laid down the main outlines of the future

structure of the constitution of India along lines which it would be difficult to challenge.

There are, of course, many important details which must be discussed and settled; but I do not think that we were asked here to settle details. Indeed, I have observed that in the work of the Conference, success has been most easily achieved where we have concentrated upon the formulation of general principles, and have relegated details to discussion on a subsequent occasion. However that may be, the main principle of Federation stands accepted: and I echo the confident hope expressed the other day by His Highness The Maharaja of Bikaner, that by far the larger proportion of the States will come into the federal structure at once, and that the remainder will soon follow. We have all made it clear, however, that we consider certain things to be essential. We can only federate with a British India which is self-governing, and not with a British India governed as it is at present. Next, just as we do not desire to dominate British India, so we cannot consent to British India dominating us. We want to enter the Federation as equal partners in a great and honourable enterprise, under conditions which will safeguard the internal autonomy of our States, and secure for our people all the advantages of citizenship in a mighty country. It has been the misfortune rather than the fault of the States that they are less wealthy and less populous than British India: they have been kept in artificial isolation; their interests have been relegated to the second place. We trust that more equitable conditions will henceforth prevail, and that our people will not find themselves debarred from the prospect of honourable advancement.

But, Mr. Prime Minister, if Federation is to come into existence, and if our work at the Conference is not to go for nought, it is necessary for Great Britain to make good her intentions towards India, and that without further delay. The troubles which we all deplore in India are largely the product of despair, and of a loss of faith in the efficacy of benevolent intentions divorced from prompt and adequate action. You may say, if you will, that this is a matter for Britain and British India to settle, and that, in this matter, the Indian States have no right to speak. Yet surely we Indian Princes are also sons of India; and the ills from which part of our country is suffering cannot leave us unmoved. Moreover, nothing which seems likely to promote harmony between Great Britain and British India is a matter of indifference to us. No section of the Conference, I am sure, welcomed more heartily the courageous and inspiring speech of Lord Reading, than the representatives of the Indian States. We join without hesitation in asking that our country should acquire that honourable status within the Empire which can alone satisfy the aspirations of her sons. And may I respectfully point out, Mr. Prime Minister, that the Princes of India cannot be called agitators or irresponsible people. We have a great stake in the country; we should be the first to suffer if chaos and [illegible] were to ensue. Any administrative breakdown in India

would involve us in far more risks and far more liability than it could involve any political party in Britain. Yet it is we, the Princes of India, who are urging upon the Government and people of Britain the necessity for courageous, for generous, for prompt, political advance. If we are prepared, after full consideration of all the circumstances, bearing in mind our own position, our great responsibilities and the magnitude of our stake in the country, if we are prepared to accept for ourselves, and to recommend to our brother Princes for their acceptance, the arrangements which we have been devising during these many weeks, need anyone in Britain hesitate? The risks are far greater for us than for you. May I then appeal to all who are hesitating as to the expediency or the safety of granting India's request for control over her own affairs, subject to safeguards during the transitional period, to remember that this request has the support of those on this side of the Table? I venture to think that the Indian States and their Rulers have a record of devotion to The Throne and Person of His Majesty, and of attachment to the British connection, which lends a certain weight to the attitude that they are now adopting; and I confidently appeal to all parties and persons in this country to take a line which is courageous, broad-minded, and in the best traditions of British statesmanship.

I conclude, Mr. Prime Minister, by appealing to you as the head of His Majesty's Government. The announcement which we are eagerly expecting is being awaited with painful anxiety by one-fifth of the entire human race. Will you not confirm the confidence which brought us, your colleagues and well-wishers, to this momentous Conference, and enable us to secure for the constructive work which we have performed under your able guidance, the co-operation and the support of the rising nationalism of our country?

Mrs. Subbarayan: Sir, may I on behalf of the women's Delegation express our appreciation of the valuable work of the various sub-Committees. I think that the amount of agreement which has been achieved on general principles is a subject of congratulation to the Committees concerned, and particularly to the Chairmen who have steered their barks through difficult water. I do not know how many of us, British or Indian, could have contemplated the future if these sub-Committees had not given us the hopeful message that runs through their Reports. I would also like to take this opportunity of expressing our deep appreciation, Sir, of your personal services to this Conference. As Chairman, your ability, consideration, and sympathy have helped largely to create the atmosphere of peace and good-will which have prevailed even when the most delicate and difficult matters have been under consideration. As one of the smallest minorities on the Conference—though in numbers we are by no means small in our country—the women's Delegation has always been conscious of your helpful and sympathetic attitude. They have also had the privilege of serving under your Chairmanship on a sub-Committee which presented peculiar difficulties, and your inexhaustible sympathy and patience were

Mr. Chairman, Lord Sankey, under whose able and sympathetic Chairmanship the Federal Structure sub-Committee has given us so remarkable a Report, has compared the achievement of his sub-Committee to a small plant. He asks us to take it to India, to transfer it to the kindly Indian soil, there to tend and nurture it; but, Sir, may I point out that if it is to be suitable to the soil of India it must be a plant of quick growth, and the prospect of the fullgrown tree, under which we are all to find peace, prosperity and contentment, must not be long deferred. That such a tree may be the lasting emblem of friendship between our two nations must be our earnest hope, and it is on such a note of hope that I wish to conclude my remarks.

Lord Peel. Sir, I have compressed my speech into the smallest possible compass. I can do so because my colleagues and myself have already expressed our more detailed views in the Report of the Federal Structure sub-Committee and in other statements.

This Conference, I feel, has treated the subjects under debate with a high dignity not unworthy of the great duties which have been entrusted to it. Only those who have probed all the intricacies of Indian political conditions can estimate the scope and range of the problems with which we have been confronted. Builders of other constitutions, in the British Empire at any rate, can congratulate themselves with having dealt with simpler problems. Perhaps it is for others rather than ourselves to measure the success that we have attained, but without question our discussions have been of the highest value in informing and shaping public opinion here and probably in India. Even those most experienced in Indian affairs must admit that as the subjects unrolled themselves before Committees and Plenaries, their knowledge must have gained immensely from the volume and variety of expressions of opinion. This greater intimacy of view, this closer familiarity with so many aspects of the Indian scene has had a tremendous educating effect upon the public, always interested but not always well informed on Indian subjects.

The most outstanding fact of the Conference, of course, has been that great change in opinion that has brought the conception of a Federal India from the realm of dreams to a state of reality. We are no longer haunted by the risks and dangers of two Indias moving on different and perhaps opposite paths. This fortunate result has come about not by any compulsion or pressure from outside but by the two personalities, Provinces and States coming together in order to merge a thousand problems in the larger unity of a united India.

I should like to pay a tribute to the enlightened action taken by the ruling Princes. It would be impertinent for me to praise their patriotism. I know their high record both in peace and war. But I am impressed by their statesmanship and foresight, which, in spite of risks and possibly of sacrifices, has insisted on representation both in Cabinet and Legislature in order to contribute all their experience of government and administration to the control of sub-

jects of common concern. I should like to pay my tribute also to those leaders of opinion in British India who have given their political aspirations a Federal colour. Further I should like to point out how great a misfortune it would be if this mighty scheme could not soon be started on its great career.

I desire to explain, quite briefly, the attitude of my colleagues and myself of the Conservative section of the British Delegates. Our aim has been to sketch the main outlines of a constitution at once so flexible as to meet the differences of the federal units and so firm as to create a strong cement of unity in the Centre for the manifold diversities of Indian social and political life. We have done our best to free our minds from all of the old unitary adherences and have shaped the new structure, so far as we can, on purely federal lines. We have tried to divest ourselves of the passion for precedent and not to look with suspicion on any new proposal merely because it was not embedded in some older constitutional system. British Parliamentarians though we be, we have not thought that our Parliamentary methods should be transferred wholesale from Westminster to Delhi. We have suggested that we might well consider for India the Swiss or American Parliamentary models and that devolution of authority from this country to India is not incompatible with a separate legislature and executive on the Swiss or American plan. We were anxious that the Central Legislature should be so composed that the tie with the Provinces should be firmly impressed on their constitution, and that while making laws for all-India they were acting as the agents and interpreters of Provinces and of States. We put forward the idea that the self-governing system for the Provinces should at once be put into action so that the views of the responsible Ministers of those Provinces should add their experience to that of this Conference in approving or modifying the new constitution. We have striven to give to our ideas a practical and working form. It was suggested in debate that it did not matter so much how the machine was constructed provided it was worked in a reasonable manner. We do not want to exercise the ingenuity of our Indian legislators by increasing their dilemmas. Above all, we would try to avoid unnecessary complexities. In letters and constitutions the simplest is usually the best. We are very mindful of the promises and undertakings that have been given by past Governments to India. We are keenly interested in her political aspirations, and when we have been discussing what are called the constitutional safeguards, we have been moved by no desire to fetter Indian freedom, but by the necessity of carrying out our Imperial responsibilities.

It is generally admitted that certain subjects must be reserved to the Crown. It is admitted that certain reserved powers must remain with the Viceroy. But those who heard the discussions the last few days will realise that there is great diversity of opinion as to what these safeguards should be and how they should be put into force. There should, I submit, be no haziness on these subjects. It is imperative that while safeguards are necessary the

machinery of operation, they should be closely and clearly defined. There should be as little doubt as possible what are the functions to be discharged by Indian Ministers, what are the controls of the Viceroy, what is the precise degree of authority Parliament will wish to exercise through the Secretary of State. All this is necessary to secure a working constitution. Friction and suspicion and dislike, all those evil demons that we would like to banish from India, will rise again and multiply if, through any lack of vision, we fail to set out the limits of authority.

I cannot discuss the safeguards in detail. They are set out in page 203 of the Government of India proposals. But it is in the interests not of mere authority but of general confidence that the protection for minorities are clearly to be set out. Again, as regards the financial securities, it has been suggested that any limitation of their powers implies a distrust of Indian Ministers. Having had many years of political life, and having known a great many Ministers, British and other, I, perhaps, have not the same supreme confidence in them as Mr. Sastri and others. I am expressing no distrust of Indian Ministers when I say that, for the present, it would assist them and would make their task easier, if the financial safeguards be so drawn as to give confidence to the great commercial and financial community, wherever it may be situated. Again, in transferring power, the British Government cannot be indifferent to the interests of those who have trusted to her protection and security.

I confess that I listened with surprise to the reservations made in some quarters on Friday last to the complete equality of treatment, which I had understood it was agreed on all hands should be awarded to British traders and British trade. I must make it clear that our future attitude will depend upon such equality being accorded. I shall be obliged to withdraw what I am about to say now unless that condition is fulfilled. It must not be assumed in any way that we consider that these constitutional difficulties and requirements are not capable of solution. If the safeguards can be made effective with care and good-will, and if our practical problems can be met in a workmanlike spirit, as I believe they can be, then we shall not hesitate to accord our assent to a new constitution because it involves a transfer of new powers and responsibilities to Indians. It is agreed that opinion neither here nor in India is to be presented at the end of this Conference with a scheme that must be accepted as a whole or rejected. It is agreed on all sides that many problems are still left over and may perhaps be thought over in order that public opinion may have further time for reflection and for compromise. All we ask is, and surely it is not an unreasonable request, that these problems should be squarely faced and fairly settled. Our Indian colleagues have set forward their requirements with great lucidity and eloquence, and I am sure that they are well endowed with the imagination which will enable them to appreciate our points of view. Lord Sankey has told us that we have sown a seed which may develop into a noble tree. As a lover and

planter of many trees, I know well that it is not from seed only that you can prophesy the tree. It is the soil and the sun, the rain and the seasons, the protection and shelter from animals and winter winds that determine whether the plant shall be a poor stunted thing, or become a giant of the forest raising its crown to heaven.

I have sat in silence so long on the Minorities sub-Committee that I may be allowed one observation on the great communal difficulty. No doubt it is a matter of regret that no settlement has yet been reached, manifold and sincere as have been the efforts of the leaders on both sides to bring one about. When you are dealing with these vast communities, so different in their history and social customs and religion, yet living side by side in India, long patience must be shown in many negotiations before settlement can be reached which not only gets the seal of approval of the leaders, but receives the ready assent of their millions of followers who are unconscious of all that travail of spirit through which the leaders have passed before the terms were arranged. The leaders themselves must consider how far their views on political advance are affected, or what methods they would devise to combine political advance with communal security. But it is manifest that, unless a satisfactory agreement is concluded, the success of any future constitution must be gravely jeopardised. Again, the just claims of the Depressed Classes, of the Anglo-Indian community and other Minorities must be satisfied.

In conclusion, I would like to say how earnestly we desire that our labours, if not now, yet in the months to come, may bring peace and security and good will to India. It is of such vast moment that suspicion and distrust should be exorcised and good-will and harmony between India and this country be restored. I have always held that both countries can contribute to the well-being of the other not only in material but in spiritual values as well. I trust that in the coming months the seals may be affixed to this new bond of partnership between the two countries. May the leaders of India, freed from the fevers of non-co-operation, bend all their energies to the furtherance of their great constructive task.

H.H. the Maharaja of Alwar: Prime Minister and my fellow-colleagues of the India Round Table Conference: After about [illegible] weeks of labour steadily undertaken and much accomplished, [illegible] the ordeal into which we have actually plunged, the greatest problem is what to say. Still more important is the problem of what not to say. What wordy warfare has raged within these walls of St. James's Palace!

What hopes have been aroused within its precincts and how human breasts have at times reached the pinnacle and at other times subsided to zero. A day hence if anyone will visit these Chambers he will discover within these walls the dumb silence of [illegible]. Think of the history these walls could relate if only they had tongues! What histories, even, of the Round Table Conference

could not this very table and these walls expressed it only they were human!

I presume this is not the first time in the history of the world that a Conference has been convened. How many have gone their way, and so shall this one. At the beginning, some greetings, and then to business we have embarked. Numerous orations, speeches, and vehement statements of sentiment have found expression, and now as a conclusion comes, high hopes, anxieties and anticipations rule the mind. But every mundane existence must have an end, and so the Round Table Conference on India, having passed through fair weather and rough seas, is now reaching the last lap before it passes the winning post, to be judged whether it has achieved success. Even the decisions that we give at this moment would be to some extent our own creation, but the things that survive will, comparatively speaking, be the realities.

No compliments, wordy warfare or cooings and wooings will count in the end. We have been pledged for life to love our motherland, India. We are attached to the great family of our domestic fraternity called the Empire. We are glued to that great centrifugal force called England, with which we are united.

By what standard, then, must we judge? I suppose all judgments to some extent must be biased, but before proceeding further I apply one test and one alone: who loves India best and England simultaneously.

And now I take leave to proceed to mundane affairs. I shall not repeat those four days of general discussion which preceded this Conference, when we attempted to create an atmosphere in which the work of this organisation could be conducted. It is natural, however, that the momentum of those utterances, like all things in life, after a certain time should lose their force; and so, Prime Minister, before we take leave of your shores and of those who have helped us, we desire to create a new momentum which will survive, I hope, longer than those to which we have given expression in the beginning.

But I must now carry you away from the Conference into the law of life, which is expressed by the single word expansion. Divinity gave birth to individuality which developed into community, society, nationality, internationality, universality, merging back into the Divinity. But in this circle my country for the last few centuries has by no means been what she was in the past, and one of the causes which has led to this degeneration has been the narrowing of her scope of vision. But an event occurred in the history of existence which is now coming to fruition. The Aryan races parted from one another; one lived in the East from Central Turkestan to Cape Comorin and the other founded numerous dominions and empires, countries and republics in the West which has formed these two disintegrating factors. Those who lived in the East, bounded on the north by the snow caps of the Himalayas, the fresh water rivers rolling like oceans and the mountainous forests in their solitude, compelled those who lived there to turn their vision inward so

Sometimes it may have been narrowed by various visions, but never can it be circumscribed by minute channels. We must realise the fact that the problems before us are of such a momentous nature and so unparalleled throughout the world that when you come to limit them within the period of two-and-a-half months I think it can be felt that the results are something of which we need not feel ashamed.

But our Conference is not the end of our labours. Our vanity compels us to believe that we must take something back to India wherewith we may survive; but that has never been the source of salvation to any country. All that counts is encased in that one word "Worth." If we are worthy, if we have proved worthy, if we shall prove worthy, then we need not be proud but we shall feel gratified at having served our Homeland, our Motherland, our Country and our Empire.

The principal scheme that has been before us has been the evolving of a system which is ultimately going to lead to that happy consummation which I like to describe as the "United States of India" within the Empire. In order to achieve this ideal we have worked on this scheme of Federation under which term come all the other points that we have been discussing during these last few months. Lord Sankey originally made out twelve points for our consideration, and I am glad that they have escaped the fateful number of fourteen pronounced by the late Mr. Wilson, of America, and have brought us to grips with the actual situation of the future.

The component elements of the Federation, the type of Federal Legislature, its powers, the number of members, the method whereby representatives from British India and from the Indian States are to be selected, the constitution, character and powers of the Executive, the powers of the Provincial Legislatures, the constitution, character, powers and responsibility of the Provincial Executives, the provision for Minorities, the problem of establishing a Supreme Court, the Defence Force and the relation of the Federal and the Provincial Executives to the Crown, have been the twelve items round which we have centred our deliberations.

The Federation that we have been attempting to devise is one of a unique character, for the reason that we are bringing two Indias together into a political unity where, each, working out its individual domestic and internal problems, each will combine together for the good of India as a whole. This Federation scheme which in the Simon Report and the Government of India Despatch was looked upon as a remote contingency has become an actual reality, and why? Because British India and the Indian States have come determined to join hands in order to make this scheme a success. British India has made its valuable contribution to this scheme, and I believe it is already realised that the Indian States have played no small part for the sake of their country in making this scheme a workable proposition of the future. Whereas in other countries this federation has come under easier circumstances with a compara-

tive unity in races and creeds, with a comparative unity in political organisations, these questions have been more complicated in regard to India because we have to contend with so many different races, as well as with the ancient system of rule laid down by our Raj Neetis, the exponents of which are the Indian States.

On our side of the table, we have attempted to make a contribution of which I hope our fellow countrymen and others present in this room will not have reason to say that we in any way put a spoke in the wheel. On the other hand, we have had it stated by no less a personage than the Prime Minister of the present Government, by the members of the British Delegations representing the Conservatives and the Liberals, that the attitude which the Indian States took by coming into this federation has revolutionised the situation. While we are not revolutionaries in the strict sense, we are glad that for the sake of our country and its interests, we have contributed to this vast change in the hope of its ultimate success. Its eventual realisation lies in appreciating two basic principles: firstly, on which we are all agreed, that we want India to aspire to the highest status possible within the British Empire itself; and, secondly, and no less a fundamental principle, that we must each be left free to go our own way in working out our internal problems of the Provinces, of the Centre, or, on the other side, of the Indian States according to our best dictates and of our human capacities for the happiness and progress of the people destined to have been placed in the hands of our respective Governments. For while the one cannot dictate to the other as to the best method of government for all, I think that it is not altogether an unfortunate factor—in fact, I believe that it is for the common good—that we have two or more systems working out their progression towards our one common aim inside the Federation. It is only by mutual understanding of our respective rights and privileges that we can in unanimity and unity work out our united goal. There will be tendencies for the [illegible] to fly from one side to the other, and as none can afford to get themselves encased in water-tight compartments, I am sure that with our two different systems—the ancient of the East, the other the modern of the West, for the sake of our Motherland, we can still strive at our very laudable goal for the benefit of India. Responsibility at the centre of the Government of India is a question on which a great part of the success of this Conference depends, and a great part of the success of the future governance of the country; and while certain subjects have been reserved, we hope that the spirit will move and conceive ideals on all sides that will help towards the working out of satisfactory solutions in the shortest space of time.

In Africa, when there was more or less provincial Government, directly autonomous, when the constitution was framed and devised for that country, it took a sudden plunge from provincial autonomous Governments to a unitary system. British India seems desirous of taking a plunge in the opposite direction by making the Provinces more or less autonomous and making the Centre responsible

principally on the federated subjects and others relating to Imperial issues.

So far as the detailed problems outside the immediate construction of the federal institution is concerned, there has been the problem of defence, in which I cannot but help congratulating once again, as I have already done, Mr. Thomas and his collaborators in producing a scheme which gives prospects to Indians to open out the possibilities of their taking a full part in the defence of India, and I hope that a time will come before long when India will have this essential power in its own hands for the service and assistance of the Empire.

As for the Services, of course it is vitally essential that they should be highly Indianised, and the power should rest in the hands of the Government of the day, but we must give and have already given concrete proofs of our honourable desire to safeguard the interests of the Services. And while we cannot do without Englishmen any more than Englishmen can do without us in India, the main proposition seems to be that these Services should be under the control of the Indian Executive. There has been the question of the Minorities, a most essential proposition to be satisfactorily settled, but the word "franchise" has brought this question into prominence, and I sincerely trust that the wisdom of my countrymen, in whose hands this proposition has been given, will satisfactorily work itself out and that not only what is settled or remains unsettled, will be finally settled to the satisfaction of all concerned as soon as those involved come to an agreement on the subject in India.

I can quite understand the point of view expressed in many opinions that no constitution can be framed or be accepted unless this question is settled; but we have worked out the constitution and this question, surely with good-will on all sides is one that is not only capable of adjustment but one that must soon find a solution acceptable to the spirit of our Conference, and, in so far as is humanly possible, acceptable to the people and to the new Government of India. It is not for me to go into these details as they essentially rest between the several communities in British India. There must undoubtedly be a great deal of give and take, but if the higher vision is kept in view, I am perfectly certain that this solution is by no means impossible, and I hope eventually that India's sons will rise so high that, with the ideal of her nationhood before them, these communal and sectional forces will merge into a whole and enable British India to go forward as one united body.

In order to assist to this end, the Indian States came in as co-equal partners with British India never, I hope, to obstruct or dominate but always to help and build; and it is on the basis of a right understanding that the Indian States have the sincere desire to help India to rise to its full stature, and, similarly, with the desire of British Indians to realise, appreciate and guarantee the position of the States, that they, too, join hands for our common consummation.

Now, Mr. Prime Minister, you have said that the Princes have caused a revolution inside this Conference; but I turn to the British Delegations, and I will refer to the present Government last. There are representatives of two distinguished Parties in this room, the Conservatives and the Liberals, and how delighted one feels that a mild revolution has taken place on these benches also, where the principal representatives and spokesmen on behalf of these two Parties have made their contributions. But, is it strange, altogether, that this should happen, for we have to look to the history of the Dominions, which I hope will not be boring to you if I read it briefly. Canada became a Dominion. It federated in 1867; the Government in power in England was Conservative under Lord Derby as Prime Minister, but it received its Dominion status under the terms of responsible self-government in the time of the Liberal Government, in those days called Whigs, when Lord Elgin was Governor-General, himself a Whig. And so in Australia similarly Federation came in 1900 under the régime of Lord Salisbury, a Conservative, but Dominion status was again reached in the time of the Liberal Government. Ireland in 1922, under the Coalition Government of Mr. Lloyd George, who was a Liberal, received the status of the Irish Free State. South Africa, in 1909, under the Liberal Administration of Mr. Asquith, received its constitution. New Zealand, in 1907, under the régime of the Liberal Government, with Campbell Bannerman at its head, rose to its stature of Dominion status. Newfoundland, in 1855, under a Liberal Government, with Palmerston at its head, was given its due position as a Dominion. When one reads this short history of these Dominions to-day, I ask you, is it strange that the Conservative Party who started the Federation of Canada and of Australia, could show any grudging spirit when the turn comes of India to seek that same goal? I hope as the days progress that the Conservative Party will lend greater and greater support to the ambitions of India. Similarly, is it in any way strange, that, with those wonderful Liberal traditions which have brought Dominion status to nearly all the present existing Dominions, that one steeped in these Party principles should have received such warm support and be so much applauded and worthily commented upon, when I turn to Lord Reading and his associates in the Round Table Conference. It would indeed have been strange had we seen any other phenomenon. We are grateful for this contribution which these representatives of the Parties have made towards the end that we have in view. If I may, I would like to congratulate Lord Peel on his helpful outlook, however cautious it may be at the present moment, because one word appealed to me very much, that fell from Lord Peel's lips; that as Britishers, they are cautious before they pledge their word, for, when they give their word they must, and will, follow it out to the practical solution.

May I warmly congratulate Lord Reading, or rather, join in the echo of deserved gratitude that has been showered on his head for the help he has given us all in this Round Table Conference?

Now, Mr. Prime Minister, I turn to your Government. I do not think that in the whole wide world if I had my choice, and if it is not presumptuous on my part to say so, I could have selected a bigger benevolent autocrat than you have been as the Chairman of this Conference. You have guided its deliberations; you have taken part in its proceedings; you have done your best to save time, and to save India's time. And look at the result! I am sure it is one of which the Labour Party need not feel ashamed and of which India will be proud.

Lord Sankey, whose deliberations I have watched with great interest, has been a towering force in this Conference, and so many eulogies have been already passed that if I subscribe my quota to them I hope it will not be out of place. He has guided the deliberations of the Federal Structure sub-Committee in such a manner that we have really come to conclusions that have virtually laid the foundations of our future India. His tact, his patience and his readiness at all times to assist us have been of the greatest value. To the Secretary of State and other members of the Delegation I would say that while they have spoken but little I am not altogether unaware of the work that is done behind the scenes, and I hope that it will be left to Mr. Wedgwood Benn to see the consummation of his desire, as being what he described in a sentence at my banquet a year ago, a true servant of India. The wonderful staff organisation that we have had in this Conference, dealing with gigantic reports and submitting them to us in time have had a Herculean task; but how wonderfully and extraordinarily well they have performed it. Our gratitude is owed to them all. It was said to me the other day that the millionth word had been spoken in the Conference. I think that another millionth word will be spoken when we go out to India, and many more million words will be spoken when the subject goes before the House of Commons and Parliament. But I look really to the outcome. When all these words will have vanished into the air, as they have done already, and these rooms and this hall become silent, and when these reports will find their way to oblivion, except such as are studied by the constitutionalist afterwards—every word that has been spoken will contribute in its own silent way towards the great task before us.

I am thankful, Mr. Prime Minister, for having had this opportunity of expressing some of my sentiments in this Conference, and I have sought your indulgence at somewhat greater length than I myself would have wished, but I hope it is permissible in such an important gathering to express some of my sentiments for which I have not been able to find time to give expression on other occasions.

And now, Mr. Prime Minister, so far as the present work lies, we have done our task. Yours will begin this afternoon when you make the great declaration. It is on that that India has its eyes focussed. You know all that we desire, you know what India wants, and you have said it in your speech at my banquet this year, as well as on other occasions, and it has been stated in clear words in the Report of the Sankey Committee. It was prominently brought

out by Lord Sankey himself in what he called his last oration at this Conference. I have shown you what contribution the Conservatives have made and what a large contribution the Liberals have made in strengthening the Empire by bringing the Dominions to their full stature. Mr Prime Minister, this is the second time in which the Labour Government has come into power. It now rests in your hands, to a great extent, to prove that when India's time came on a similar enterprise, you in no way contributed less to the happiness of my country than the Liberals and Conservatives have done for the other Dominions. Many hundreds or perhaps thousands of years hence, when all papers have vanished, when even the memories of individuals have vanished, what happens now or what happens here, will not count so much, but what will count is the remembrance that when my country, India, was in need, a MacDonald came to her rescue and was bold enough, despite all difficulties and temptations to take the lead to hold out a hand and to prove that MacDonald was the best friend to India that the twentieth century had known. They will then pull out your name, a thousand years hence, and discover that you were a Scotsman, and they will know that you were also a great Statesman.

I know the importance of India's affairs in connection with the City. It is on Parliament and you and us to satisfy them that India, in wanting to be right in her ideals, desires no more than to be an honourable partner in the Empire. We want the City and England to realise that when the power comes—and I hope rapidly—in the hands of India to govern her own destinies we will be found honourable gentlemen, true to our pledges, true to our word, true to our country and true to the Empire.

In conclusion, as I take leave of you to-day, I ask you, Mr. Prime Minister, in the statement that you are going to make this afternoon to look to the past, to look to the present and to look to the future and to evolve a scheme and make a declaration that we, with joyful hearts, can take back and say to our countrymen that our sojourn of two and a half-months, crammed with meetings and conversations, has not been in vain. Indeed, I want to go much higher—that we, who are pledged to loyalty to the Crown, whether we of the Indian States or of British India, are the friends of Britain for all time and we can say that when Britain has assisted us so long and in so many different directions, and we have continued to give our quota of service to England, we would like to know that when the time came on this occasion, when it was the call of India in her need, whilst being a Scotsman you have also proved to be in India's interests from your heart a great Indian.

As I take leave of you now, I say in conclusion that Providence has so willed that the consummation that we are attempting to reach may be such that India may be happy and that India may retain her title of being the proudest, the happiest and most glittering jewel in the Imperial Crown.

Mr. Prime Minister, with all the problems and difficulties that face you—and we are not ignorant of them—that consummation is in your hands.

His attitude is all the more agreeable to me because I have no mandate from those whom I represent regarding the form of government. But I have a mandate and that is, while not opposing responsible government, to see that no responsible government was established unless it was at the same time accompanied by a truly representative government. It is when I look at the achievement of the Conference to find out how it has dealt with the question of representative government that I feel most disappointed. The franchise and the representation of the different classes in the Legislatures are the two pillars on which a truly representative government can rest. Everybody knows that the Nehru Committee had accepted adult suffrage and that that part of the constitution framed by it had the support of all political parties in India. When I came to this Conference I had thought that so far as the question of franchise was concerned the battle had already been won. But in the Franchise Committee I was completely disillusioned. I found to my great surprise that all those who had signed the Nehru Report had done so with mental reservations, so much so that it was difficult to persuade even the Indian Liberals to consent to enfranchise 25 per cent. of the population for Provincial Legislatures. The franchise for the Central Legislature is no doubt an unknown quantity. But I have no hope that it will be such as to make the Central Legislature more representative of the people than the Provincial Legislatures are going to be. A franchise so limited must necessarily make the future government of India a government of the masses by the classes.

Regarding the question of the distribution of seats among the majority and the various minority communities, we all know that there is a deadlock. The deadlock is largely due, in my opinion, to the mischief done in the past. I am sure that if the authorities in India had acted in the past on the principle of justice to all and favour to none, the problem would not have become so difficult of solution. The British Government set different values on different communities according to the political use they made of them and gave to many communities an extraordinary share of political power by denying it to the Depressed Classes in a measure which was their rightful due. In this matter the most aggrieved community is the Depressed Classes, and I was hoping that this Conference would proceed on the principle that what is wrongly settled is never settled and give to the Depressed Classes their rightful quota of seats by a revaluation of the old values. But this has not happened. The claims of the other minorities have already been acknowledged and defined. All that they stand in need of is alterations and amendments to bring them in conformity with the enlarged structure and increased scope of the new Government. Whatever be the alterations and amendments, no one will dare to furrow out the foundations that have already been laid down. The case of the Depressed Classes is totally different. Their claims have just been heard. They have not even been adjudged and I do not know how many of them will be admitted. To my mind it is not improbable that having regard to the helplessness of their

your declaration subject to its fulfilment. You may tell me that the Depressed Classes have your sympathy. My reply is, for a stricken people what is wanted is something more concrete, something more defined. You may despise me for being unduly apprehensive. My reply is better to be despised for too anxious apprehensions rather than be ruined by too confident a security.

**Rao Bahadur Pannir Selvam*: Rising to say a few words in support of the resolution which you have placed before the Conference, may I on behalf of my community—I mean the Indian Christian community as a whole—give expression to a feeling of satisfaction at the conclusions arrived at by the various sub-Committees so far as those conclusions go. May I also state that we are prepared to play our part and make our own contribution to the public weal in that new self-governing India which we hope will in the near future be brought into existence as the ultimate outcome of the work of this Conference. That contribution may perhaps be not very much; it will, however, continue to be as useful and indispensable in the future as it has been in the past.

When I say that we are prepared to play our part, I do so in the fullest hope, nay, conviction, that the constitution which is to usher in that New India will enable us to do our part by giving us an opportunity of service in the legislature as well as on the administrative side, by empowering us to send to the various legislative bodies people who will be truly our representatives, which I feel we will be able to do only through a separate electorate, specially as we happen to constitute only a very small proportion of the total population.

I am sure the new constitution will secure to us the right not merely freely and without restraint, to profess and practise, but also to preach our religion in our own country; that it will also safeguard the rights and interests of our religious, charitable and educational institutions, and that they will not be placed in a position of disadvantage with reference to other similar institutions. The right to bring up and educate our children in an atmosphere congenial to our own culture and principles is one which we hold sacred, and I hope that the constitution will secure to us to have the right to have our own schools, entitling them at the same time to a fair and equitable treatment in the matter of aid from public funds. I claim merely that we and our institutions may be treated as Indians. If I lay emphasis on this it is because of the fact that in the past by a tortuous interpretation of things, at least in one part of my country, religious and charitable institutions belonging to Catholics have been treated as foreign bodies and accordingly subjected to a differential treatment. I hope that in the Indian India, which we all look forward to, we shall all be treated alike.

It is because the justice of all these claims have been recognised in the conclusions of the sub-Committees that I feel myself in a position to welcome them wholeheartedly. With these rights conferred on us by the constitution, I would trust to the goodwill, and

situation to which I should like to refer. We have accorded our approval to the principle of federalism, and we hope it will be possible to evolve a satisfactory scheme. But I wish it to be clearly understood that India's own demands must remain unaffected by the fate of the principle of federalism which we have accepted. Whether a federal system is evolved or not, India must have as complete a measure of autonomy at the Centre as circumstances permit. In this connection, let me reiterate my objections to many of the financial safeguards which are to be found in the Report. Complete financial and fiscal autonomy is India's unqualified demand, and I submit that with our ready acceptance of our legal and moral obligations in respect of debts, etc., and with the large powers which will reside in the Viceroy, the financial stability of India may well be regarded as assured. If this view is accepted, I feel sure a large body of responsible opinion in India will be prepared to welcome the constitution we have evolved, and work it for the greater good of India and the Empire.

[*] *Dr. Narendra Nath Law:* I desire to associate myself with what Mr. Mody has said on the question of the financial safeguards embodied in the Report.

Sir Hubert Carr: As we come to the finish of our work at this Conference we have doubtless been re-examining the extremely complex problem we have been engaged on, and probably all of us will agree as to the difficulty in giving unqualified replies to the various points raised. I notice that some of our critics claim that none of the Delegates represent any considerable section of Indian opinion. I think that criticism may be taken as a tribute to the work of the Conference, for had nothing considerable been achieved there would be little reason for attempting to discredit the Delegates.

No one knows better than the Delegates themselves how far they represent opinion in India and England. We have a pretty good idea as to what support and what opposition our work is likely to meet with, but there is no doubt that the view of the practical and patriotic section of Indian political opinion has been well and truly voiced.

I feel a considerable degree of confidence that when the elastic framework gets stiffened up and filled in we shall have a constitution which will attract the support of the best elements in the country and will ensure government receiving the necessary popular backing to enable it to deal with unconstitutional movement.

Of one thing I am very sure. On fields where reason still prevails the friendly relationship established between many public men in both countries should do much to remove the murky clouds of suspicion which have been so largely responsible for the present unhappy position in India and have made a Viceroy who whole-

tions and geographical configuration have as much to do with the growth of a constitution as soil, water and climate have to do with the growth and nature of plants and trees. We cannot be asked to begin with a clean slate and treat the existing constitutional conditions as entirely thrown into the melting pot. We want to see a stable and abiding constitution for India to come out of the cauldron, and nothing weird, grotesque or recondite could meet the need of the country. Let us look at the way in which historical antecedents, past traditions, and physical features have influenced the constitutional structures in other Dominions. Canada is the oldest Dominion in the Empire. The dazzling idea of a Federation achieved by the United States of America exercised a powerful sway over the minds of the neighbouring colony. But racial antipathies and communal differences, with which we are unfortunately but too familiar, left the French Canadians always suspicious of their English confrères. Moreover, at the commencement the Canadian Federation had only to embrace the provinces of Quebec, Ottawa, New Brunswick and Nova Scotia. The Provinces or States of Manitoba and distant Saskatchewan had not come into the field at the time. There was need for a strong central government to protect the country from its powerful neighbour on the south and the Federation that emerged took the form of a unitary type with a strong central government.

Conditions were dissimilar in Australia. The white population comprising the settlers was homogeneous in character and was not torn by racial animosities or religious differences. The Provinces were independent and autonomous, each jealously guarding its own identity. Victoria and New South Wales were the two rivals for supremacy, but neither was strong enough to absorb the other. Moreover the country was a country of long distances, and means of communication and transport were by no means easy or cheap. The Provinces of Queensland, Tasmania, and Western Australia wanted to preserve their own provincial autonomy and yet were anxious to secure Federation and protection, and the German colonial ambition began to be manifest in the Polynesian Seas. The Federation of the Commonwealth was therefore truly of the Federal type, after the American model. The example of the South African Union need not detain us as the Constitution is a Union and does not pretend to be Federal. In India accordingly should not the civilisation and culture of the country, its past history and its present circumstances claim to exert the same influence on the structure of the constitution we are designing?

A federal constitution for India has been by no means a novel conception sprung upon us here at the Round Table Conference. Ever since 1917 when the famous declaration of the Secretary of State for India fixed the goal of responsible self-government for the country and placed British India on the way to Dominion Status, the Indian States have naturally been astir and desirous of their own evolution. No political prophecy of late has more rapidly materialised than the picture drawn by the sympathetic and sagacious statesman, Mr. Montagu, when he spoke of the Indian

as inviolable they naturally preferred their own participation in the spoils. By their treaties of the last century they had relegated to the British Crown their internal autonomy in war and foreign affairs; by the fresh treaties of the present century they will be prepared to delegate further portions of their internal sovereignty impinging on matters affecting the common interests of their whole country—portions which were most vulnerable to risk from erosion, to an agency in which they hope to have their own voice. Wisdom lies in seeing ahead, and if the tide of democracy is advancing, history has taught them that safety does not lie in standing across the fury of the rolling floods.

The Princes are naturally jealous of their own internal autonomy and while they are prepared to suffer diminution of some of their own sovereignty in the interests of the common weal they are as anxious to see that no needless sacrifice from them is demanded. It is for this purpose that while they are prepared to concede to the federal authorities the authority to legislate and lay down policies on subjects of common federal concern they are reluctant to part with their proprietary rights, their jurisdiction and their administration of those common concerns like Railways and Ports, and it is in this sphere that I would make an appeal to my brethren of British India to demand no unnecessary sacrifice. Laws on federal subjects like Customs and Posts and Telegraphs, the administration of which they have not retained in their own hands enacted by the federal legislature, would be applicable as federal laws even to their own subjects; but there need not be the same measure of applicability as regards Civil and Criminal Laws passed by the Indian Legislature within the territories under Indian States, and even as regards some of the federal laws governing trade and commerce local conditions, which may vary with the different States, may have to be separately provided for by the respective governments of these States in their own local legislation. To give only one illustration, there is nothing repugnant to the fundamental principles of the Negotiable Instruments Act for instance if to the list of gazetted holidays the States add one day on the birthdays of their respective rulers. Sedition or disaffection in each State will have to be defined in relation to its distinctive Sovereign. Provided there is no vital or fundamental difference the local legislatures of the several States can without inconvenience be allowed a fairly adequate margin for such local adaptation. Where there is any vital repugnance the federal laws may be declared to prevail. We are familiar with legislative controversies like the permissibility of concurrent legislative authority, the enactment of normative laws, of model laws and permissive laws to be undertaken by the States constituting the federal units provided there was nothing repugnant to the provision in the federal law on the subject. I would refer the Committee to Articles 6, 7, 8, 11, 12 and 13 of the recent German Constitution of 1919, to Section 94 of the British North America Act for Canada, and to Sections 52, 108 and 109 of the Constitution of Australia, and Section 86 of the South African Union Act. By adoption of

similar legislative contrivances the desire of the Indian States Rulers to preserve their internal legislative autonomy intact would **be gratified and conflict of laws avoided.**

I make this appeal to you, brethren of British India, in order to facilitate and smooth the way for large numbers of Indian States for entry into the new Federation which we are building and which will ever remain as a distinct milestone on our journey to ultimate **Dominion Status which has now been assured to us.**

Colonel Haksar: I am sure we are all very grateful, Mr. Prime Minister, for the opportunity which you have given us of expressing our considered judgment upon the progress which we have accomplished. For only when this stage of our proceedings has been reached, only with the work of the last nine weeks present to our minds, can our impression be recorded of the spirit which has animated this Conference. This impression, I suggest, is the real test of the value of our work. Had it been possible for the millions of my countrymen to experience for themselves the presence of this spirit, I feel sure that they would be as strongly convinced as are all of us here, of the reality of the will of Britain to do justice to India. I will give only the briefest illustrations of my meaning. It has been said that the policy of Britain towards my country has been to divide and rule. Local conditions may have given rise to administrative problems to the solution of which this principle has been in the past applied; but with the history of this Conference fresh in our minds, can we doubt that the policy of Britain to-day, the policy of the Government here in England, has been to unite, to conciliate, to strive in every way to bring about harmony and agreement? I will cite as examples only the attitude of you, Mr. Prime Minister, of your colleagues and of the representatives of the other political parties first towards the federal scheme, and secondly towards the problem of the minority communities.

I shall not here attempt to measure what we have achieved by any purely finite standards; for I am one of those who have always held that the problem of the relations between the people of my Motherland and the people of Britain is dependent upon psychological rather than upon material factors for its solution.

In the early hours of this Conference, Mr. Prime Minister, you pointed to our presence round this Council Board as proof positive that India's anxiety regarding her status in the Empire might from henceforth for ever be allayed. Events have proved the justice of your remark "for the essence of Dominion Status is self-government," and that self-government is now postulated in the conclusions at which we have arrived. For what, in truth, are these reservations which are to operate during the period of transition? Are they not devised in our own interest? Are we not ourselves consenting parties to their arrangement? What, I ask myself, would be [illegible] to [illegible] it the responsibility for the [illegible] of India were to be placed as from this moment upon

ourselves? And, surely in regard to finance also, the complicated and delicate network of international relationships upon which the very existence of each country depends, must be preserved free from shock and strain until the new threads which altered circumstances require shall have been woven and securely interlaced. I am willing to assume that it would be contrary to the interests of Britain that the finances of India should be dislocated. But is it not far more to our own interests than to the interest of Britain that the finance of India should be stable? For my part, I cannot regard these safeguards as being more than scaffolding, unsightly perhaps, but necessary, until the complete structure of our building can be finally revealed; and I repeat, in acquiring responsible government, we have also acquired Dominion Status. The rest of the differences appear to me to be matters of simple justice and might well be left to harmony of relations and mutual trust for their composition.

When we left India in a storm of ridicule, it was our faith in the justice of India's Cause and in the big mind, and, if I may say so, the big heart of the people of Great Britain which sustained us in the course of our choice. That course has brought us close to the goal. Our faith has been entirely justified. But at least of equal value with the political gain to India has been the union of our hearts. For at this moment they are beating and henceforth will continue to beat in unison.

We have been away from our homes a long while and have suffered the longings which such a state engenders—we have lived laborious days, even if we have not altogether shunned the delights of Britain's marvellous hospitality; we have had many anxieties, and yet, when to-day our labours are ending, I for one feel something akin to sadness. Our daily contact has deepened, I assure you, Sir, my faith in humanity, quite apart from enhancing my respect for individuals. There are my Lords Reading and Lothian, there are Lord Peel and Sir Samuel Hoare—the honesty of their convictions and the fearlessness with which these convictions are expressed and the tenacity with which they are held, are an object lesson to us all on this side of the Table.

But if this be the judgment of the head, the heart also speaks. It turns to Lord Sankey, it turns to Mr. Wedgwood Benn, and it turns to you in captivity. Sir, I tender to you all my respectful congratulations on showing to the world what true sons of Great Britain can do. May it be given to us to serve, as you all have served, His Majesty, our Emperor, your King, and his Empire. May it also be given to us to serve our country as you have served yours. God willing, we shall; you have enabled us to do so. Henceforward, we pray that our Empire will continue to grow in unity, in strength, in world-wide moral influence and, indeed, in material prosperity. The announcement which you have promised is pregnant with all these possibilities. When doubts and apprehensions incidental to any great change are dissipated in course of time, and it will not be long, when the charm of

of future development; all depends on the manner in which the constitution is worked from time to time.

When I read the Nehru Report as it came out and its proposal about the inclusion of the Princes in the future Federation I thought that the time was far distant when they would throw in their lot with us. They have so far constituted a distinct order different from anything corresponding to it found in British India. I have therefore nothing but admiration for the patriotism, public spirit, broad outlook and statesmanship shown by the Princes in not only expressing their willingness to come in the Federation but in taking an active and substantial part in framing the Federal constitution. The step which they have taken does involve a sacrifice on their part and their inclusion in the Federation is not only to be looked upon as a measure introducing a stable and conservative element in the constitution but as one calculated to create a United States of India without discrimination between British India and Indian India. Surely, the advanced politicians, with whom the idea of including them originated, and who criticised the report of the Butler Committee as one calculated to disunite India, did not intend to introduce a conservative element in the administration of the country. I wish and hope that it may be possible to secure the support of that political body which has so far kept itself out of the Conference but which is undoubtedly the most influential and the best organised.

It is regrettable that the minorities question has not been settled by mutual agreement. When I came to the Conference I did not expect that the solution of it would present so many difficulties as it has done. I thought that there would be no difficulty in securing agreement on the uniform treatment of all minorities. I am really sorry that I have not been able to help in its solution. But allow me to assure you in words as solemn as I can command that the view which I have taken is not due to any class, communal or parochial interests which I represent or advocate, but it is due to the desire to construct the constitution on a scientific basis. In a spirit of compromise, I cannot allow a constitution to be framed, which is a grotesque combination of incongruous elements. This has been my difficulty. Whilst appreciating and assessing at its full value what has been achieved, I take this opportunity of explaining why I have not been able to help towards the achievement of the object, which has not been achieved.

Mr. Jadhav: I have great pleasure in associating myself with all that has been said by the previous speakers upon the courtesy, tact, sympathy and friendly spirit and statesmanship shown by you and your co-workers like Lord Sankey, Mr. Henderson, Mr. Thomas, Sir William Jowitt, Lord Peel and others, in the conduct of the affairs of the various Committees they presided over. I need not take the time of the Conference in going over the same matter again.

I am sorry I have to refer with disapproval to what my friend, Mr. Gavin Jones, said here on Friday last. He called the Congress a Revolutionary Party. I may assure him that the leaders of the Congress are as a body against revolution. It is their influence and their teachings that have kept the revolutionary movement in check. There is a strong anarchical activity in India, but Congress not only does not support it, but many of her leaders have condemned it. His Excellency, Lord Irwin, in a recent speech has admitted in generous terms that the motives of Gandhi are honest. Mahatma Gandhi and the Congress leaders want substance of independence, which in other words means mastery in one's own house. The constitution that will be hammered out of the materials supplied by the reports of the various Committees, if carried out in a liberal spirit, ought to be acceptable. But as I have said before it is the spirit that is really important. The spirit of Winston Churchill is not what is going to make peace. It is not possible to keep down a roused nation. England found it difficult to do it with Egypt. British India with a population of 320 millions, when thoroughly roused, will be difficult to keep. Conciliation is the only true and sure remedy and I am gratified to see that the foremost statesmen of Great Britain have realised the necessity of meeting the national demand.

In my remarks in the preliminary discussion before the Conference I did not conceal my apprehensions about the success of Federation. I had at the same time no idea about the welcome change in the mentality of the Princes. I am now assured of their whole-hearted support, and I am confident that the seed sown by you and now grown into a plant will be transplanted in India, and there it will gradually grow into a stately tree under whose glorious shade the teeming millions will enjoy rest and freedom, and India will be blessed with its fruit.

Britain brought to India good government. But, as self-consciousness grew, India realised that it was not self-government, and the cry now has been for self government. The new constitution, if properly worked and developed, is expected to lead to self-government for which the country is very eager and ready to make sacrifices. The work of the expert Franchise Commission will be watched with very keen interest. The Southborough Committee in 1920 looked more to the interests of the urban population, a large portion of which was enfranchised, while the rural population was not so liberally treated. The recommendations in the Simon Report have been to a great extent accepted by the Franchise Committee here, but I must warn the Conference that their adoption is sure to give an unfair advantage to the urban, to the prejudice of the rural population. The factory and agricultural labour was practically lost sight of by the Royal Commission and the recommendations of the majority of the Franchise Committee have erred in the same direction. I would therefore urge with all the earnestness at my command that the real representatives of agricultural and rural labour ought to be included in the expert Commission that will be constituted.

These two classes must be directly and intimately interested in the constitution; or else there is the danger that they may fall victims to the communist propaganda and be a tool in their hands. It is the workers and peasants who form very congenial soil for revolutionary activities. It is therefore necessary that real interest in and pride for the new constitution should be created among them by giving them the right of vote.

I am happy to see that the British Government is in earnest to do something to satisfy to a certain extent the legitimate aspirations of India and their genuine desire to pacify India is apparent. For the success of the new constitution a favourable and peaceful atmosphere ought to be created, and I urge with all the earnestness at my command to declare a general amnesty and release from prison all those political prisoners who have not committed any acts of violence. Some may challenge the utility of the amnesty and point out that all of them may offer Satyagraha and go to jail again. My knowledge of India and its people tells me that more than 50 per cent will not like to go back and even if they do Government will lose nothing. An amnesty will prove to India and the world that Britain is in earnest to have peace and that there is a real change of heart. I trust that Government have already considered this important question and come to a favourable decision.

Sir Cowasji Jehangir: In some of the speeches made yesterday a note of pessimism was struck, but I am a born optimist and on the present occasion I believe I have reason to be so. Those of us who had misgivings in accepting the invitation to attend this Conference I trust feel that their decision to accept has been amply justified, while some of those who refused may have some regrets at having missed the opportunity of being present at one of the most historic occasions in the long connection between England and India, when the foundation for a full measure of self-government has been laid. I trust that this expression of opinion, may, I feel sure, is not premature and that it will continue to the end of to-day's proceedings.

Although certain principles have been laid down a great deal of the work has still to be done, and I trust, Prime Minister, that His Majesty's Government will take immediate steps to see that there is no break in the continuity of the work, the foundation of which has been laid in this country. Committees will have to be set up, and the sooner that is done the better. Some of us, although we are neither Hindus nor Mahomedans, deeply and sincerely regret that the two major communities of India were unable to settle their differences, especially as at one time during their protracted negotiations there appeared to be every chance of a successful settlement. If nothing else, the differences have been narrowed down, and we must trust and hope that a settlement will be reached at an early date, resulting in an everlasting friendship based on love and reverence for their Motherland.

Many of us are aware of the apprehensions felt by some members of some of the Services. If the report of the Services sub-Committee is carefully studied I trust it will be found that without conceding any principle inseparable from a full measure of self-government, the sub-Committee have given serious and sympathetic consideration to the question. India, I am sure, is not and will not be ungrateful to her public servants who have worked for her so earnestly and with such ability. I trust she will continue to be served in the future, as in the past, with the same loyalty and goodwill which has characterised the public Services of India. When the new constitution begins to function, the Services will find that although they have not the same constitutional power and influence, they will continue still to have the power for good as guides, philosophers and friends of the governments and peoples of India.

I am afraid, Sir, I cannot express complete satisfaction with the report of the Franchise sub-Committee. The keystone of safety for the future self-governing constitution of India lies in the adjustment of the franchise, and I trust and hope that the Committee to be set up will give this important question further and serious consideration. We were exceptionally lucky in having Sir William Jowitt as the Chairman of the two Committees I have mentioned. His ability, impartiality and universal courtesy made work under him and with him a real pleasure. I think we all desire to thank the Secretary-General and the staff under him, the Secretaries of the British India Delegation and all officers who have so freely given of their time and labour in the interests of this Conference.

**Sir Mirza M. Ismail:* Mr. Prime Minister, permit me to join in congratulating you on the successful accomplishment of a task as great and momentous as any that has ever confronted a statesman. We came to this Conference with mingled hopes and fears. We had faith in the righteousness of our cause, confidence in Great Britain; but our hearts were sick with fear when we thought of the magnitude and complexity of the problem and the clouds of mistrust and suspicion which obscured the issues. Now, thanks to you and the great statesmen who have so ably assisted you in your labours, our hopes lie before us in a fair way to fulfilment, and we can afford to look back on our fears in a spirit of thankfulness that we have been able to surmount them. We now go back to India with the consciousness of duty done, and with a message of trust and goodwill from this great country—and India, I assure you, has a warm heart and a great memory for kindnesses.

From the outset it was clear that nothing short of responsibility at the Centre would be acceptable to India; but this issue was beset with difficulties, of which the two most formidable were the position of the States and the question of the minorities. It seemed to me that responsibility at the Centre could only be given if a constitution comprising the whole of India could be envisaged. The Report of the Statutory Commission while regarding an All-India

Federation as an ultimate ideal, relegated it to a distant future. My own feeling was that once the idea was taken up for serious consideration things would move with greater rapidity than the Commission anticipated, since the intense and growing nationalism of India would furnish the necessary motive power. In fact, the first problem solved itself with almost dramatic suddenness, when the Rulers and representatives of the States in this Conference declared themselves in favour of an All-India Federation.

It is a matter of extreme regret to us Indians at this Conference, as it is I am sure to the British representatives who have been assisting us in our work, that we have failed to come to a settlement on the communal issue, and consequently have presented to the world the spectacle of a people who want self-government but are unable to adjust their own differences and work together for the common good. May I point out, however, that it is possible to attach too much importance to these differences? When it is remembered that some of us have come to the Conference with long-cherished convictions and pronounced views, and have been expected by those who think likewise to voice those convictions and views, and when it is also remembered that the importance of the occasion called for clearness and emphasis in the expression of opinion, it would be astonishing if unanimous agreement had been reached. I say this not to justify but to explain what has happened. Let us not forget, however, that in actual fact, millions of Hindus and Muslims live together in peace and amity. The negotiations at this Conference have tended to bring out in sharp relief the few points of difference, and actually to obscure the many and essential points of agreement.

I have no doubt that a just settlement, whether by mutual agreement or effected by the British Government, will be accepted by the mass of Indians of all communities. In any case, Sir, if I may be permitted to say so, the course before the British Government is perfectly clear; it is to go on with the work to which they have so nobly set their hands; and when we have reached so large a degree of unanimity, not to permit a few individuals at this Conference to hinder the progress of India towards her cherished goal.

The devising of a constitution which should hold together in one harmonious whole such different units as the States and the Provinces was the problem before Lord Sankey's Committee, and it has been solved, I think, in a satisfactory manner. As a member of the Committee, I associated myself fully with its recommendations. I am convinced they are sound in principle and provide an excellent basis for a start in our great enterprise. No settlement can be enduring unless it is founded on reason and justice to all concerned —whether the States, the Hindus, Sikhs or Muslims, or any other community, majority or minority. Let us not forget that our conclusions here must be such as are acceptable to reasonable people in India. We must be able to defend them. We must be in a position to justify them to our countrymen. If these conditions are satisfied—

I think they are satisfied so far as the general conclusions of this Conference are concerned we shall have achieved our main purpose, and the Conference will not have been held in vain.

It would be superfluous at the present stage to prove that a federal constitution is the only one possible in India. No other edifice could include such a variety of interests, no other policy would admit of the development of the component parts harmoniously with the growth of the whole. I shall only deal with certain doubts that I seemed to sense when some of my colleagues were speaking. On the side of the States, there may be a feeling that by joining the Federation they are exposing themselves to the full force of the democratic surge in the rest of India. One is reminded of King Canute's elaborate rebuke to his courtiers. I do not believe that democratic sentiment would in any event stop short at the boundaries of the States. The wisest course is to recognise and understand the new forces and adjust ourselves to them. Like all great forces, they can be wisely directed and controlled if properly understood. They cannot be successfully dealt with by imitating the ostrich.

On the part of British India there seems to be a fear that the States may act as a drag on the constitutional progress of the country, and that their representatives may lend themselves to be used as instruments of obstruction. This fear is due to lack of appreciation of the fact that the States and their Rulers yield to none in their love for India, and their desire to see her occupy a place worthy of her among the great nations of the world

I am sure we Indian Delegates fully realise what we owe to you Sir, and to your distinguished colleagues. You have spared no effort, you have left no stone unturned, to make this Conference a success. No one but a visionary, oblivious of the existing facts and conditions in India, could have expected greater results.

It is now left to us Indians to build on the solid foundations laid here. If we fail, history will blame not England but India herself. What you have been able to do for her will rank among the noblest achievements of British statesmanship.

**Sir Akbar Hydari:* Mr. Prime Minister, those who preceded me have paid a well-deserved tribute to the Chair and to your Colleagues. I wish to associate myself with that tribute, but will not repeat what has been so well said already because time is short, and I feel the best compliment I can pay to the Chair and to this Conference is to be as brief as I can.

Many here may have criticisms to make in regard to the scheme before us, but these need not be detailed to-day, because they are recorded already in the proceedings of the sub-Committees and will, I feel, soon receive attention when the time comes.

If I may be permitted to say so, I think it would be unfortunate if at the close of the Conference we laid too much emphasis on the points of *disagreement* and thus break up in a spirit of depression when the work is all before us. I see no reason why anyone should

suppose that his or her *aspirations* have been thwarted because they do not find a place in the main Report. There is still time to secure consideration of all points of view. It is far more helpful to look on the brighter side of the picture. I believe there is general *agreement* in favour of an All-India Federation for subjects definitely defined, with responsibility for them at the Centre and autonomy in the Provinces, a stable federal legislature and definite and clear reservations and safeguards with the Crown for the maintenance of the peace, tranquillity and financial stability of the country and for the entire fulfilment of the treaty obligations for the protection and integrity of the Indian States. It will always be a source of deep personal joy to me to feel that the scheme as it has emerged out of the Federal Structure Committee is one which in all its essential details I had originally thought out and placed in responsible hands as the best solution of the Indian problem from the point of view of a United India, and that I have been privileged to play a part in obtaining its final acceptance. This practical agreement on most essential points is, I consider, no mean achievement for this Conference. There is plenty of time to adjust differences in the course of working out details, and I deprecate the note of depression I have heard in various quarters.

The time for action has come. When I get back to India I shall do my humble best to induce States, both great and small, to accept the Federal idea, and I am sure the other States' representatives will do the same. Our friends from *British India* have a *harder* task before them; but I firmly believe if they will concentrate on main principles, working all the time behind the scenes for the adjustment of differences, they have a very good chance of securing the adherence of all fair-minded people in whatever camp they may be found.

I hope that in two or three months' time the work of this Conference will secure such a measure of support in India that it will be possible for the various expert Committees to get to work and draft a detailed constitution on sound lines. Let us *all* resolve to convince our countrymen in India that we are on the road to Dominion Status and let us put the weight of individual effort to achieve success and reach the goal which we have set before us. If we *fail* there will be no *peace* in our time. If we succeed—as I hope and pray under God's guidance we shall—we shall have written one of the noblest chapters in the world's history—the union of Greater India with Greater Britain.

Mr. Barooah: Mr. Prime Minister, I thank you, Sir, for giving me an opportunity to speak a word: I am thankful to the members of the British Delegation for the patient and sympathetic hearing they have given us; and I believe I voice the sentiment of the entire Indian Delegation when I say that we are very much thankful to you personally, and also to Lord Sankey and Mr. Wedgwood Benn for your earnest endeavours to do your best for us.

It was only the other day that you said that you were going to hammer out a constitution, under which India will not only be

unhappy, but will deepen a sense of self-respect. Sir, we have very great faith in this and the other similar assurances you have given us from time to time.

We are quite aware of the various difficulties in making a suitable constitution for India. But we hope we have made it sufficiently clear that every Indian community, every school of political thought in India, wants a full measure of self-government, and that nothing less than the status of a Dominion Government, with a few reasonable safeguards for the transitory period will pacify India of the present day. We who are around this Table, as well as those in India who think like us, have still faith in British justice and we confidently hope that British statesmanship will rise to the height of the occasion, and will do full justice to the discontented millions of that ancient land of culture and civilisation.

The most important points we are concerned with are:—(1) Federation, (2) Responsibility of the Central Government to the Central Legislature, (3) Autonomy in the Provinces, and (4) Joint Electorates.

Federation of all India was only the distant aim both of the Simon Commission and the Government of India. But the wisdom and the far-sighted statesmanship of our Indian Princes have brought it within our easy reach. The whole of India is proud of her Princes who, by their wise and sympathetic conduct in this matter, have immensely contributed to the uplift of India.

It must be admitted that during the period of transition, responsibility of the Central Government to the Indian Legislature should be accompanied with some safeguards and reservations. But they should not be more than what is absolutely necessary. Too much of safeguards and reservations will spoil the whole thing. You cannot but take some risks in this, as in every other matter of similar importance. Nothing great has ever been done without taking risks. We shall perhaps make mistakes in the beginning; but people learn by making mistakes. Every undue safeguard or reservation will be a hindrance on the path of India, and is bound to delay her progress. It is certainly necessary to provide safeguards and make reservations during the political evolution in India; but it is also necessary to reach the promised goal, with as little delay as possible. While thinking of safeguards and reservations, the main object should not be lost sight of; and that object is to give as much independence to India, as is now enjoyed by the other Dominions of the Empire, and to give it as soon as practicable. It should also be remembered in this connection that India has already passed ten years of the period of transition.

As regards the third point, namely provincial autonomy, there has been a practical unanimity in all quarters that the full amount of autonomy should be granted to the Provinces; and we believe this will be done at once. I would however submit in this connection, that the Province of Assam, where I come from, is one of those Provinces in India where the reforms of 1919 have been very

successful: and that I therefore claim the fullest measure of autonomy for my Province.

Now I come to the last point, that is, that joint electorates involve the Hindu-Muslim question. Neither the Simon Commission nor the Government of India would force joint electorates upon those who are now used to communal electorates, although they admit in unmistakable language that it is joint electorates alone that are most conducive to responsible government. The Government of India goes further and, in page 29 of the Despatch, says: "We agree, as already stated, that the privilege of communal electorates, where they now exist, should not be taken away, without the consent of the communities concerned. . . . But we attach importance to providing machinery in the Act for the disappearance of such electorates, and for their future replacement by a normal system of representation, more suited to responsible government on democratic lines."

It is regrettable, Sir, that we have not been able to come to a settlement of this matter, although we came very near its perfect solution. This has led other minor communities to claim representation on the communal basis. But the British politician knows perfectly well that whatever may be said against it, the system of joint electorates will lead India much sooner to the full Dominion Status, and that nothing can be more disastrous to the cause of India's self-government than separate electorates. We may be mistaken: we may be blind to our own interests. We may be quarrelling among ourselves over this matter, but it is the moral duty of the British politician, in spite of all that, to put us in the right path and lead us courageously along it. Sir Tej Bahadur Sapru was very right, when he observed the other day, that there were millions upon millions of Hindus and Muhammedans, who were anxious that there should be an honourable settlement of the Hindu-Muslim question. I should say that there are millions and millions people of the other communities as well, who are equally anxious for this matter, and that while we, the elderly people, are quarrelling over this matter, our young men, who will soon replace us in the political field, are laughing at us, for they make no distinction between the Hindus and the Muhammadans. I would also state that it will not be at all safe to decide this most important question on the opinion of those alone who are round this Table; for they are in no sense the representatives of the vast Indian peoples of political thought.

I do not know what, under these circumstances, may be the decision of the ultimate authority in England. It may be found that it is not quite possible to prescribe joint electorates for India, just at present. But even in that case, I would ask you, at least to sow its seed or lay out its foundation, by all means. In this connection, I would refer to the scheme, suggested some time ago, by a great Muhammadan leader, Sir Abdur Rahim, which is a compromise of both joint and separate electorates. I venture to think that his scheme or any other scheme on similar lines deserves a fair trial.

Neither I, nor anyone else who forms the major community in India ever say that the minorities need not be protected. All that we contend is that the protection should not be of such a nature as to retard the progress of India as a whole to any great extent.

The present situation in India should also be considered, before deciding her fate in the Parliament. Things are going from bad to worse. Before the civil disobedience movement has been put down, the country is confronted with another movement, infinitely more serious; and it is the movement of the anarchists or the murderers who have already made life and property unsafe in India. This infatuate spirit of anarchism can be effectively uprooted, not by repressive measures, but by sympathetic handling of the political situation.

The pledge of England is also a very important factor. It is the pledge of a great and mighty nation to raise the great dependency of India to the status of the British Dominions. In framing the new constitution for India, therefore, let no room be left whatever for any suspicion as to the sincerity of England in fulfilling this sacred pledge in its entirety.

My most earnest appeal therefore is that whatever you give should be worthy of England to give, and worthy of India to accept. It should be large enough to meet the legitimate aspirations of educated India. Let it not be said of this Round Table Conference that it failed to justify the hopes with which it inspired the Indian Delegates and a great many millions of their countrymen.

In conclusion, Sir, I would submit that the atmosphere in India cannot be made quite congenial for the consideration of the new constitution that is going to be drafted unless the political prisoners are released. Among them there are some of the best brains of India whose advice and suggestions will be of the greatest value. This, I have reasons to believe, will produce a tremendous effect on the political situation in India. The end of this Conference affords a suitable opportunity for creating the desired atmosphere.

Let me hope that this Conference will be fully justified by its results, and that these results will bring about peace and prosperity for India and glory for England.

Lord Reading: Mr. Prime Minister, I shall be brief. When those who have participated in the work and deliberations of this Conference look back upon the results attained, they will, I believe, be gratified that so large a measure of agreement had been reached upon important questions, and that opinions had been exchanged upon others which will be further examined by competent and expert authorities, and will be decided after due submission to British and Indian opinion.

When we first met, the outlook was confused and the problems seemed baffling and even insoluble especially within the limited time at our disposal. Examination and discussion attended by good-will, and conducted throughout with great courtesy and in a

direction of responsibility, but we felt it necessary to stipulate that certain safeguards and reservations should be introduced, and these have been explained and discussed. We have expressed in plain language our definite support of the policy of conferring responsibility at the Centre, provided the safeguards are adequate and the new constitution is workable.

Throughout the debates we have listened most attentively but have seen no reason to change our attitude. We hold to the statements I made in their entirety. These opinions were not, as some have suggested, the result of impulse or sudden conversion; they began to take shape immediately federation was launched and were only formed after protracted thought and as the result of profound conviction. I explained that I would not at the moment of speaking refer to the Hindu-Muslim question, as negotiations of a delicate character were actually proceeding and the possibilities of success should not be imperilled. When these negotiations proved abortive I felt free to express our views in clear and unmistakable terms. We earnestly hope that agreement may be reached between our Hindu and Muslim friends, and that proper protection will be afforded for all minorities, not forgetting the Depressed Classes. You, the Delegates from British India, are about to return to India, and will take with you a message of true British sympathy and goodwill. We are well aware that many of you gentlemen from British India, honoured and distinguished among Indians of character, integrity and intellectual capacity, have risked your political fortunes to take part in this Conference. As we know, you have been actuated by the highest patriotic motives, and we hope that on your return you will be able to convince your compatriots, and that India may then walk the ways of constitutional progress and development. Riots, crime, terrorism and anarchy lead only to greater political disturbance. Great Britain will not be deterred from performing her duty or discharging her obligations by threats or by violence. She can and will be won, as she hopes to win India, by sympathy, goodwill and co-operation, by working together as willing partners in the best interests of India and of the Empire, for the benefit of India and of the Empire, and for the greater contentment and happiness of India in the future.

H.H. The Maharaja Gaekwar of Baroda: Mr. Prime Minister, we are approaching the end of this Conference, and the conclusion of a most momentous chapter in the history of India, and I have been asked to say a few words on this occasion.

When our deliberations began, federation for all-India was little more than an ideal, dim and distant, and vaguely comprehended. It is now a live political issue, supported with a remarkable degree of unanimity, not only by the Princes and the States but by British India and political parties in Great Britain. For myself I may say that the idea of federation has for very many years impressed me as presenting the only feasible means of securing the unity of India. Some of the Princes will doubtless recall that in 1917 I

expressed the view that the future constitution of India should be fashioned on these lines.

But ideas even the happiest require for fruition the opportune moment, and this was then to seek. I am content to believe that in present circumstances realisation is at hand of an ideal I have long cherished.

When the results we have achieved are reviewed by the historian, I think it will be conceded that this Conference has made a notable contribution to political thought. I refer to the conception of a United India wherein British India and the Indian States will as partners co-operate for the common welfare of India as a whole, while each unit will retain its individuality and its right to develop in accordance with its own particular genius.

We shall have, in other words, unity without uniformity, a prime requisite of true federation.

Before the Federal Sub-Committee began its work and during the course of its deliberations there were many to whom the idea of federation and its implications appeared so novel as to create a feeling of dread that the States might be pledging themselves to perilous courses. Even now, such exceptions are to be found. It is, therefore, a matter of gratification that His Majesty's Government has been so wise as to leave time for doubts to be resolved in greater familiarity with the subject by refraining from the elaboration of details at the present stage. The constitution will be evolved in due time when consideration has been given to the many interests concerned, when the various schools of thought have had occasion to state their views. Fullest facilities should be given to develop the federal idea in all that it implies.

I have spoken of unity without uniformity. It is my deliberate conviction that to strain after uniformity in the federal structure would be a mistaken policy. There should be perfect freedom given to each unit to develop along its own peculiar lines. Healthy and friendly rivalry is beneficial to the state as to the individual. Thus alone hitherto have many fruitful ideas been fostered in the Indian States.

In what spirit will the Indian States enter such a federation? In the first place, they cherish their internal independence and they will insist on this being maintained intact, and on the removal of restrictions which are injurious to their development and are out of date. Secondly, they would advocate the establishment of responsible government at the federal centre with a view to facilitating the solution of problems which concern British India and the Indian States alike, and the evolution of a policy which will be for the good of India as a whole.

India has before it economic and other problems, the difficulty of which it is impossible to exaggerate. The success of our labours will be judged by only one test: have they resulted in producing a government which will be capable of facing these problems boldly,

and adopting wise measures and policies which will enable India to take her place among the advanced countries of the world?

Forms of government undoubtedly possess importance; but they are merely a means to an end. The importance to be attached to them, therefore, must be estimated according to the extent to which they conduce to the end in view, which should be the happiness, the contentment, and the prosperity of the people. The Indian ryot requires for his development individual attention. If the future Government is to be "of the people, for the people, by the people," then the Provinces as at present constituted seem too large for the end in view. The machinery of government should be simple, inexpensive, and easily intelligible, and there should be intimate personal contact between the people and those in authority.

One more word, and I have done. It is all-important that in the new polity, which we hope to see established in India, the education of the people should be made our earnest endeavour. No truly democratic system can effectively operate unless the mass of the citizens be alive to their responsibilities.

Our greatest efforts should therefore be concentrated on the uplift of the people by this means. It is very necessary that, as Robert Lowe expressed it on a well-known occasion, we should "educate our masters" that they may be able to judge between right and wrong, and avoid the excesses and errors of democracy.

I pray that all those who in the future will have the shaping of our country's destinies may have the gifts of courage, wisdom, and statesmanship adequate for such a task.

Mr. Prime Minister, I cannot conclude without expressing our indebtedness to you personally, to the other members of His Majesty's Government, and generally to the British Delegates who have already contributed, by their cordial and whole-hearted support, to the development of the Indian constitution. I trust that the Conservative Party will, by an announcement of their generous recognition of India's right freely to mould her own destinies, set the coping stone on the constitutional structure.

We now await from you, Mr. Prime Minister, a declaration which, I hope, will be of such effect as to satisfy the aspirations of our people in India, and put an end to their present grievances and unrest with the least possible delay.

I beg, Sir, that you will convey to Their Majesties an expression of our deep affection and loyalty.

Mr. Zafrullah Khan: Those of us who have been privileged to take part in the deliberations of this great assembly have a task of peculiar difficulty to attempt accurately and correctly to estimate the value of the work that has so far been accomplished, both for the reason that those of us who have taken part in this work cannot at present look upon its work from a detached point of view—we are looking at it from too close an angle—and also for the reason that

the value of what which has been accomplished so largely depends upon that which remains to be done, and upon the spirit in which we approach the further stages of the work of this Conference. Nevertheless, the most hostile and adverse critic of the work of this Conference will not deny that a great deal has been accomplished. If I may be permitted to use a simile, we have traced out the ground plan, dug out, excavated, and filled in the foundations. We have even to a certain height raised the walls of the vast constitutional structure under the shelter of which we propose that the teeming millions of India shall find protection under the conditions of safety and security to work out their various destinies.

But, Sir, if I may be permitted from that close angle to which I have referred to give my view of the structure to the extent to which it has been raised, I am sure you will pardon me if I say that from one point of view it appears to me to be rather a lop-sided structure. On the one hand, Sir, the Indian States have rightly and legitimately insisted that their willingness to enter into this great federation shall not to the slightest extent encroach upon their internal autonomy. On the other hand, the principle has been conceded that from the direction of British India the federating units shall be the Provinces. But, Sir, unhappily beyond the laying down of this principle, very little has been done to establish the absolute autonomy of the Provinces in the same way in which the States, which come into the federation, will be autonomous. Whereas, on the one hand, the States will be in direct relation to the federation, there is what we have described as the Centre between the British Provinces and the federation. I do earnestly hope that the work of those who will be engaged on the further stages of this Conference will be to emphasise very much more clearly than has been done here the autonomous position of the Provinces as units of this great federation.

Again, as I have said, Sir, although we have raised the walls of this vast structure to a very great height, I feel, as many others in this Conference feel, that with regard to the arches of this construction, the key-stone has still to be placed on top of most of the arches which will eventually support the heavy roof. I am very glad to find that one of those key-stones has been supplied this morning by an agreement having been arrived at as to the manner in which the rights and interests of the British commercial community are to be secured. I do earnestly hope that an agreement will soon be arrived at, either here or in India, with regard to the position which the minorities are to occupy, and that in this matter the key-stone of the minorities' arch will also be firmly placed on the top of this building. There are many other principles which are important principles which must be settled before the heavy roof can be placed on the top of this structure, in the hope that the structure will always withstand not only the storm and stress of normal political times, but also the earthquakes of revolution if any such should arise, and that the structure will soon be completed.

In conclusion, I also further hope that this structure will not for too long be left standing in the incomplete condition in which it at

present stage is, and that steps will be taken whereby it will soon be completed and firmly established.

I associate myself, Sir, with all that has been said from various quarters with regard to the kindness, the courtesy, and the wisdom with which you and the chairmen of the various sub-Committees have guided the deliberations of this Conference.

Diwan Bahadur Mudaliar. On this last day of our Conference, I rise to pay my tribute to all those who have worked so sincerely for the success of this Conference. If one idea has emerged from this Conference, it is this great and grand idea of a Federation on which I certainly place all my hopes for a great and a united India. In evolving this idea of federation, may I also say how deeply grateful everyone of us on the British Indian side is for the great part that the Princes have played in fostering that idea and in making it a reality. I have paid elsewhere my humble and respectful compliments to the Princes. No one who has heard them at this Conference at the first Plenary Session and to-day could have the smallest doubt of the great part that they will take in the future government of the country and in the future progress of my nation.

Mr. Prime Minister, there has been here and there a pessimistic note struck with regard to some problems which have not yet been solved, and with regard to some problems which have not yet been solved to the satisfaction of the individuals concerned; but, Sir, if you look round this Table and see the various factions, the various creeds, the different castes, which have all been brought together, you will be struck undoubtedly by the extent to which unanimity has prevailed. I am not forgetful of the fact that the great Hindu-Muslim questions has not yet been completely solved. I am acutely conscious that we are lacking something which would have been behind us if that question had been adequately and completely solved, but I am still hoping that a solution of that problem is not far off.

I do not wish to be understood to be speaking disparagingly of that generation whose political career may soon come to an end, but I venture to express the feeling of the younger generation that it is us who, perhaps, will have the burden of working the new constitution in the decades to come. We shall try our level best to see that we all live happily together so that the path of peace and progress can be adequately followed.

If I were to take back from this Conference to my country one message, it is that for which my country has been pleading for many generations. My countrymen have been asking for a change of heart. I have witnessed that change of heart at this Conference. I have seen that change of heart in the British Delegations, and I have heard my Lord Reading make his great speeches in the Federal Structure sub-Committee and to-day. How can I go back to my country unless I am able to tell them with confidence and sincerity that I have witnessed that great change of heart? May

Let me add, having heard my Lord Peel, that I have seen that change of heart in the Conservative Delegation as well. His Majesty's Government during the last two decades has seen many changes. Thrones have tumbled down, Empires have crumbled to ashes, Principalities have gone under, and States have risen, but through it all, and through the two decades of His Majesty's reign, one golden purpose can be seen by those who have eyes to see it, the golden purpose of trying to bring the different units of the British Empire together. Colonies have become Dominions, Dominions have become partners in the British Empire. The Irish Free State, which had battled for a solution for so many decades, is now a happy and contented partner of the British Empire.

May I not say that there is not one statesman, British or Indian, who is true to his Royal Master who will not say that that golden purpose is fulfilled throughout, and that the silken tassels might be flung across the waters to my own country, and that my country may be bound to the British Commonwealth just as securely and just as truly as every other partner in this great Empire?

Mr. Prime Minister, I have heard a great deal of talk of the lost Dominion. I have even read that book; but, Sir, the spirit that has been generated in this Conference has not lost India for you but has reconquered it, if I may say so; and if this temper and if this change of heart is seen as clearly by my countrymen as we see it at this Conference—and I have no doubt that they will see it in the months to come—let me assure you that this new and reconquered India will be a firm collaborator, and, to use the language of my Lord Peel this morning, a partner of your great British Empire.

Sir Tej Bahadur Sapru: Mr. Prime Minister, now that the Conference is drawing to its close perhaps you will permit me to make just a few observations. When in October last we left the shores of our country we were told by friends, by opponents, by men of our own party, by men of other parties, that we were going on a fool's errand, that we were incurring risks of an extraordinary character, that England had made up its mind against us and that we should meet a hostile England. These were the warnings that were administered to us at that time. Well, I do not know whether we are here in the midst of a hostile England, but I do know of one thing, and I hope I am not putting it too high when I venture to say that we are leaving behind us a friendly England—an England which has sent to this historic Conference some of her greatest, some of her wisest, some of her most far-seeing statesmen to talk to us on terms of equality, to discuss questions of high import in a spirit of give and take, and not to dictate to us from their side. That has been my experience, and I venture to think that so far as that is concerned I give expression to the views of many of us in this Conference.

Sir Phiroze Sethna: All of us.

Sir Tej Bahadur Sapru: Indeed, as I have been corrected, of all India. Now, during the last nine weeks what is it that we have witnessed emerging from this great Conference? There are three fundamental ideas which have emerged. One, the higher, nobler, loftier idea of an all-India federation, which has taken such a material shape, if I may say so, mainly because of the patriotic attitude adopted by the Indian Princes. The second important idea which, from the point of view of British India, is of the highest importance is the idea of responsibility at the Centre. Lord Reading, in the remarkable speech which he made this morning, quoted from the speeches of their Highnesses the Maharaja of Bikaner and the Nawab of Bhopal to show how, so far as the Princes were concerned, the only condition and the only terms on which they would come into the Federation was that there should be a responsible government established. We have responded to that call in the spirit in which their Highnesses expressed their wishes. We have done so not merely because we think it benefits them, but also because we think it benefits us. The third important idea which has emerged, and which, if I may respectfully say so, is an integral idea of all systems of responsible government, is that India must be prepared in the years to come to defend herself. For years past, for forty or fifty years past, it has been a sore point with us that we have not been admitted into the highest ranks of the Army. It is only during the last ten years that a few of our young men have had the King's commission conferred on them, but there is no Indian, to whatever school of thought he may belong, who has not felt keenly on this question and who has not urged it on Government from time to time that a serious attempt should be made to qualify the men of India to take the burden of defence on their own shoulders. We know, and we have known it with great regret, that even the recommendation of the Skeen Committee with regard to the establishment of an Indian Sandhurst did not find much support from certain official quarters in England. To-day the principle is no longer open to discussion. It has been conceded, it has been acknowledged that we are entitled to have an Indian Sandhurst, and that it must be established to qualify Indians ultimately to take the responsibility for the defence of their own country. I consider it no small gain. It may be, Sir, that there are certain safeguards. Frankly, I am not alarmed by those safeguards; and, indeed, when you come to examine those safeguards, those safeguards are really intended in the interests of the responsible government that we are establishing at the Centre and not to strengthen the hands of English control over us. That is the view that I take. It is dangerous to indulge in prophecies, especially in the field of politics. It would be dangerous for me to say that the enthusiasm with which some of us have approached the whole of this scheme here will be readily shared by everyone in India. I am fully prepared for a great many doubts, and for a good deal of scepticism in certain quarter; but, Mr. Prime Minister, may I appeal to your great political experience: has there been a single constitution established in anyone of the Dominions which has not been taken exception to, whether in

Ireland, whether in Australia, or whether in South Africa, by a certain number of people?

And indeed, when we remember that on the present occasion we are reaching on towards federation, an idea with which we have not been familiar, I should not feel surprised if certain doubts are expressed and a certain amount of scepticism is shown. But of one thing I feel sure, that when ideas which have been evolved here are carefully examined, when time is given to people to think about them, you will find that those doubts, that those misgivings, that that spirit of scepticism, will disappear, as your London fog disappears sometimes, and that we shall then enter into the bright sunshine of hopefulness for the future.

Mr. Prime Minister, I have seen to-day remarkable evidence of that spirit of hopefulness. My Lord Peel is not here, and I am glad he is not here; otherwise his presence would have been embarrassing to me; but I would venture to say that I have already witnessed a remarkable change in the attitude of that great Party which he represents, during the last eight days, and may I very respectfully ask you, Sir Samuel Hoare, to accept my congratulations and to convey the same to your distinguished colleague for the remarkable speech which he delivered this morning, a speech which is full of hope so far as your Party is concerned.

Well, Mr. Prime Minister, I am coming to the conclusion of my speech, but may I venture to make an appeal to you. You know far better than anyone of us knows or has known during the last four months of our discussion, what the condition of India is and has been, and, speaking with a full sense of responsibility, and with a full appreciation of the administrative situation in India, I make an earnest appeal to you to make it possible for people in India at the present moment to apply their minds to the consideration of these problems dispassionately, not in a spirit of irritation or bitterness, but in a spirit of hopefulness. While I am making an appeal to you, I think it my clear duty that I should make a similar appeal to my countrymen. Too long has this struggle gone on, the amount of bitterness that has already been generated in the country is far too great, and I want revered leaders, men who command the homage, respect and affection of their countrymen, enthusiastic young men, to apply their minds seriously to the consideration of these problems and to make their contribution to the further elucidation of ideas and the further improvement of this scheme; for I recognise that it is one of the merits of Lord Sankey's scheme that it does not bolt the door against further suggestion.

Therefore, Mr. Prime Minister, I venture to express the hope that when you make your declaration, you will not merely utter the word of hope to us, but you will, with all the weight of your position, take courage in your hands and hold out the olive branch to my country. I do respectfully ask you for the release of political prisoners, for the amnesty of those who have gone to jail for opinions from which you have differed, and from which many of us have

[illegible], and which we consider to be deplorable. Let a new era be established, and let the struggle of this last few months be forgotten, let people approach the new task which awaits them in a spirit of generous appreciation, and in a spirit of hope and good cheer. Mr. Prime Minister, I am sure that in asking for the release of prisoners I am giving expression to the views not only of those who are here but of a very large number of men in my country who are eagerly expecting some such gesture from you.

I will only utter one word more and then sit down. Whatever may be the verdict of our critics, either in the Press here or in the Press in India, whatever may be the verdict of my countrymen or your countrymen upon the work of this Conference, there is one thing in regard to which everyone of us is united without an exception; that is the fine spirit which has been shown not merely by His Majesty's Government but by the entire section of the British Delegations in discussing these things with us. Our deep sense of obligation is due to you, Sir, and to everyone of your colleagues, and, if I may venture to mention one single name, I will say that such measure of success as has been achieved by the Federal Structure sub-Committee, which was entrusted with a very heavy responsibility, has to a very large extent indeed, to a much larger extent than we imagine, been due to the wisdom, the statesmanship and breadth of view of the Lord Chancellor.

Chairman: It is now my duty to draw this morning's Session to a close. The morning has been remarkable for its magnificent spirit of goodwill and co-operation, and the speeches have been much directed towards a resolution which I somewhat hurriedly drafted and read the [illegible] was brought to me by various members of the Conference that something of the kind should be done. Since then it has been slightly amended in order to fit in with various speeches that have been delivered during this part of our work. I will read it to you again. I think the amendment is an accurate reflexion of the desires held by important representatives here.

RESOLUTION.

"The Conference sitting in Plenary Session has received and noted the Reports of the nine sub-Committees submitted by the Committee of the whole Conference, with comments thereon. These Reports, provisional though they are, together with the recorded notes attached to them, afford in the opinion of the Conference material of the highest value for use in the framing of a constitution for India, embodying as they do a substantial measure of agreement on the main ground plan, and many helpful indications of the points of detail to be further pursued; and the Conference feels that arrangements should be made to pursue without interruption the work upon which it has been engaged, including the provision in the constitution of adequate safeguards for the Mussalmans, Depressed Classes, Sikhs and all other important minorities."

May I put it to you? Are you in favour of that resolution? On the contrary?

That resolution is carried unanimously.

There is another piece of business which I am sure will give you great pleasure and equal honour to perform before you adjourn. You know with what great interest His Majesty has followed your proceedings. It has been a day-to-day interest and it has been a sympathetic interest. His Majesty has entered into the spirit which this Conference has displayed so splendidly, and there is nobody in this country who will be more pleased at the work that the Conference has done than he will be.

He proved that by opening our first Plenary Session. He has himself graciously allowed us this noble and convenient building as the place of our habitation, and I think it will be your desire that you should present a loyal address to him, thanking him for what he has done. I suggest this as the wording of the address:

> "The Delegates to the Indian Round Table Conference on the conclusion of their proceedings desire to submit to Your Majesty, with their humble duty, an expression of their loyal gratitude for the several marks of royal favour so graciously bestowed on them. To Your Majesty's kindly forethought they owe a setting for their deliberations unsurpassed alike in convenience and in beauty, and they will ever treasure in grateful remembrance the inspiration of Your Majesty's personal association with their proceedings."

I ought to have added before reading this that but for the very [illegible] this Conference has undertaken His Majesty during the sittings of [illegible] more personally interested in the personnel of the Conference and in its proceedings.

Is it your wish that that address should be sent by me in your name to His Majesty? (Unanimous assent.)

Then that shall be done, and I hope that some time during the afternoon I shall be able to read you His Majesty's reply.

The Conference rose at 12-25 p.m. until 3 p.m.

Final Session.

Speech delivered by the Prime Minister.

Chairman: Your Highnesses, Ladies and Gentlemen, we have met for the last part of this Conference. You will believe me, I am perfectly certain, when I assure you that never in the whole of my life have I presided over a gathering with more pleasure and more pride than I have presided over this. When I spoke to you at the end of the first part of our proceedings, I assured you that you had come here as our colleagues, that you would have no necessity to [illegible] regarding status, because our conception of the Conference, and the conception of my Parliamentary colleagues as well, was that you had come from India to meet us, representing the Legislature of Great Britain, for the purpose of taking counsel together to achieve a common purpose, the self-government of India.

I think I was right. I think you will go back to India, whether you are disappointed as to the work or not, and say "We were met by our British colleagues on terms of hospitable equality; we have put our case before them, and they have listened with a desire to accommodate us; and they have put their case before us, and we assure you that there is so much in their case, so much experience in the working of institutions, so much in relation to the peculiar conditions of India, that they and we must come to agreements upon it."

Now, we have gone as far as we can go at this moment. You have to go back to India; we have to go back to our own public opinion. You have spoken here subject to reconsideration, subject to the reaction which your public opinion will show to your work; we, Government and Parliamentary representatives alike, have spoken in the same way, and we must also listen to reactions. We must also explain and expound and defend; we must also make ourselves the champions of our findings, and do our best to bring our people along with us in our pilgrimage of hope to their conclusion.

What have we been doing? Pledge after pledge has been given to India that the British Raj was there not for perpetual domination. Why did we put facilities for education at your disposal? Why did we put in your hands the textbooks from which we draw political inspiration, if we meant that the people of India should for ever be silent and negative subordinates to our rule? Why have our Queens and our Kings given you pledges? Why have our Viceroys given you pledges? Why has our Parliament given you pledges?

Why, when the Morley-Minto Reforms were launched, did these Reforms contain not merely machinery of government but a promise of advance? Why, when the Montagu-Chelmsford Reforms were in due course launched, did they too not only set up a system

a government but give you a pledge that something else was to follow? The Simon Commission itself was appointed, not because there was a Government in office desirous of change; the Simon Commission was appointed because it was contained as a sacred pledge in the Montagu-Chelmsford Reforms. And if to-day, or during the last ten weeks, we had met you with a uniform *non-possumus*, we would have been untrue to the pledges given to India by the Government for which we are responsible. When the Simon Commission was appointed—a Commission which let me say, because I must say it, has done a work remarkable, conspicuous, and essential—you may agree with it or you may not, but you could not have come to the conclusions with us to which you have come had there been no Simon Commission and had not the Simon Commission opened doors that up to then were closed and brought ears into action that up to then were deaf. India will never be able to be too grateful or to show too much gratitude for the labours of the men who composed the Simon Commission. When that Commission was appointed, we all agreed—the leaders of the three political parties here agreed—that when the British Government came to consider the Report, came to give it a legal and constitutional value at some time or other, and somehow, a consultation would have to take place between the representatives of the British Parliament and the representatives of Indian opinion; and that is why you are here. I regret profoundly that important sections of Indian political activity are not here too.

I am one of those who, I dare say, are regarded by you (and my colleagues too) as belonging to the Left Wing of politics. That is neither here nor there. But do believe me, Left Wing, Centre or Right, I am one of those who believe that he who stirs enmity between peoples is not going to advance liberty in the world. He who spreads suspicion, he who makes co-operation impossible, is not one of those agents for good that the world in its present distracted frame of mind is so much in need of. If anything has been done by you and us here during the last ten weeks to make the youth of India turn to practical problems, turn to the ways of conquest by calm reason, argue thus: "My case is unanswerable, and I am prepared to put it to the test of reason"—if anything that you and I have been able to do here will produce that result, if we do nothing else, we will have made a great contribution to the progressive political development of the Indian nation.

Everyone must honestly admit that situations have arisen, like some of the communal difficulties, which have put obstacles in our way. Now, I want you to take it from me that the attitude of the British Government in such relations is nothing more than an overpowering desire to leave you to settle your own affairs. We are not pro-Hindu, we are not pro anything else. If we are animated by anything, it is by the conception of India herself—India a unity, India feeling behind and below and above and beyond her communal differences that mystic bond of unity which the great poets, the great philosophers, and the great religious teachers of India have

awkward things. There is a word which, when used in politics—and, some of my friends here also know in economics—I detest, and that is "safeguarding." That is one of my sins, I suppose. Safeguarding—I do not like the word. To you especially, it is an ugly word; it is a word which quite naturally rouses great suspicions in your hearts. It is a word the aspects and the meaning and the connotation and the associations of which are rather forbidding. Let us apply common sense to it. The safeguards that have been suggested here fall under three categories. One category is a group of reserved powers given to somebody—Governor, Governor-General, the Crown or somebody else, and that category of safeguards you will find either expressed or implicit in every free constitution from the rising sun to the setting sun. That category includes powers which may be put into operation by somebody authorised, somebody in authority, somebody in a distinguished position, in a powerful position in the State, put into operation by him in the event of a breakdown of the ordinary normal operations of Government. And, my Indian colleagues, you can twist and you can turn, you can turn a blind eye to this and a blind eye to that, you can draft with care and you can hide up what really is the substance of your draft, but if you were drafting your own constitution, without any outside assistance or consultation, you could not draft a constitution without embodying safeguards of that kind in it.

Then there is the second category of safeguards, and there are two sections of that. The first covers guarantees made by the Secretary of State, or made by the British Government or the British Crown, for which we, by virtue of contracts that we have made in your behalf, remain responsible under a new constitution just as under the existing one. The typical instances of that are finance and also the existing Services. Those guarantees, in the interests of India herself, have to be made clear to the world. It is not that we want to interfere; it is not even that we want the money; it is that if there were any doubt at all about India shouldering those obligations and responsibilities, the moral status of India would be deteriorated, and, in spite of the materialism of this age, there is far more materialist power resting on moral foundations than many of you would think. It is to put India in a moral position in the eyes of the rest of the world that that section of reserved subject is required.

Then there is another section. There are matters not solely Indian, owing mainly to India's history, and requiring some time for a change. Do not be afraid of time. I know your patience has been tried; I know you have waited long; but, nevertheless, when you are going fastest you have not to be too penurious of time, because that which is built, I do not say unnecessarily slowly, but that which is built calmly and steadily step by step, endures, whilst that which is built in a hurry wastes away and comes to ruin.

Then there is the third category of safeguards, relating to communities. Now I repeat what I have said to you so often regarding that: if you fail to agree to set up your own safeguards, to come to a settlement between yourselves regarding those safeguards, the

Government will have to provide in the constitution provisions designed to help you; but do remember the best of all is your own, and we do not propose to lose our grip of you, we do not propose to let you go as though you have said the last word here, because we do not believe you have said the last word.

Communities, small and great, must be safeguarded in the Indian constitution in the terms of the constitution, but the content of those terms, the details of those terms, a settlement that satisfies those terms, my Indian friends, are you to allow them to pass away from your own hands, and ask anybody outside yourselves to do for you what you declare you are not able to do for yourselves?

There is one great danger inherent in these safeguards which I will mention, because it is of the utmost importance in the working of the constitution. Ministers responsible must not shield themselves from taking upon their own shoulders their responsibility when it is unpopular by leaving the Viceroy or the Governor to put into operation his reserved powers.

Moreover, we have this problem in front of us too: in executives, in particular, there must be unified responsibility. I am not going to push that observation to any more pointed conclusion, but the great task in forming an Executive is not so much to give it responsibility (which is the peculiar characteristic of legislatures) but it is to secure for the Executive the confidence of the Legislature, together with its own united working in policy.

Now, as regards the future, we have before us the Reports of the various sub-Committees, all of them noted, together with your observations upon them. The Government proposes at once to study these very carefully in order to face the problems which they present to it. We have, for instance, sub-Committee No. I, the sub-Committee presided over with such conspicuous ability by the Lord Chancellor, who, by that one act of service has won for himself a great place in your hearts. That Report, rough wood, if I may say so, wood of very varying lengths, full of knots, full of difficulties in handling and using, must be planed and fitted into a logical and consistent structure.

Sub-Committee No. II has endorsed the principle of fully representative government in the Governors' Provinces, subject to the retention by the Governors of certain powers which were widely agreed to be necessary at this stage.

The Minorities sub-Committee I have already referred to. You have now heard the last of us regarding that. As to the sub-Committee on Burma, its findings have been noted, and the Government will pursue the decisions of that sub-Committee; separating Burma and making the necessary enquiries as to the conditions upon which the separation is to take place.

With regard to the North West Frontier Province, which was the subject of sub-Committee No. V (that sub-Committee has recommended the elevation of its status to that of a Governor's Province, with a constitution analagous to that of other Governors'

Provinces, subject to new regime, but with the necessary modifications and adaptations to suit the peculiar local conditions and requirements, and with the necessary financial assistance from the Central Government.

Sub-Committee No. VI, the Franchise Sub-Committee, recommended the setting-up of a Committee to work out specified problems, and that Committee will be set up.

Sub-Committee No. VII dealt with Defence. That will be proceeded with, and if it is possible to put into operation, without the delay that will be required for the building up of the full constitution, some of its parts by administrative action, we shall get into touch with the Government of India and see how that can be done. I refer to such things, for instance, as the creation of a Military Sandhurst in India.

Sub-Committee No. VIII dealt with the Services, and affirmed the necessity of continuing to existing members of the Services under the new constitution the guarantees which the present Act and the Rules framed under it give them, and has explored the position as regards the future.

Sub-Committee No. IX dealt with Sind, and adopted with two dissentients the principle that Sind should be formed into a separate Province, but left its feasibility for future decision after enquiry by an expert Committee into the financial problems involved. That also will be undertaken.

I need not go through any more details than that. These pledges I give you, these statements I make, relate to administration and to the setting up merely of the Committees.

One or two of you who have had large experience in administration have pressed upon us that under the existing Government of India Act some things of importance could be done by administration, to bring Indian administrative action more into accord with the declarations made here than is the case to-day. We cannot commit ourselves as to whether that is so or not, but we propose, in consultation with Indians of administrative experience, to explore that, and as the result of the exploration we shall take action or otherwise.

At this point I may turn to the very moving appeal made by Sir Tej Bahadur Sapru to me this morning regarding an amnesty. It was a wise and a moving appeal which, I can assure the Conference, lodges very naturally in my own heart. I should like this Conference to open a new chapter in the relations of India and ourselves. If Sir Tej Bahadur Sapru's appeal to India, as well as to us, is responded to in India, and civil quiet is proclaimed and assured, His Majesty's Government will certainly not be backward in responding to his plea, which is endorsed by so many of his colleagues here.

Now that brings me to the question of what is to be done to complete our labours. We have agreed upon certain features of the constitution, but the successful launching of the constitution design is still upon very careful study of conditions and structure

I think it was Lord Peel who said that we were not so short-sighted and so self-centred as to be under the impression that the only successful constitutional machinery is that under which we work ourselves. As a matter of fact, if you ask my opinion, I can give you some very bad results of its working! Therefore it is certainly not perfect. We have got the United States type; we have a type which has been used in Japan, and which is of very great interest, especially in some of its aspects, if not in all. We have a type such as was used in Germany before the war, we have got French methods, and so on, and in order that we may have all the world experience of working Legislatures elected in different ways and composed in different ways, we shall study those. We have, as a matter of fact, studied them, and we hope to get from that study ideas, suggestions, plans, from which the new Indian Constitution can be benefited and made workable. Some conditions that have been attached to the working of the Constitution have been practically agreed upon, they have become of the nature of problems that can quite easily be settled by a chairman's ruling, or by a government decision involving no principle and creating no friction. Others still require work, especially the open questions and the notes of dissent made to the Report of Committee No. 1. There is, for instance, the place of the States in the federation; the provision which must be made that the States in everything which they have not agreed to hand over to the federal authority have direct contact with the Crown. There is the composition of the Legislatures and Executives and some problems regarding practical working. There are the problems of communities and the various details of safeguarding. Now, I think I am right that so much work has been done upon these questions that the time has come for us to begin to try to draft something, because it is only when you begin to draft that you discover what you have overlooked and what you have not properly considered. Now, this work must not be left to the bureaucracy in either country, but must be conducted on the direct responsibility of the politician aided and guided by those admirably equipped servants of the State which both our civil services contain. I hope, for instance, that in the further negotiations and explorations we are going to have the great pleasure of continuing the parliamentary unity which has been maintained with so much good feeling during the last ten weeks in the work of this Conference.

There is another important thing. One of the secrets of our success thus far—in fact, I am not at all sure it is not the main secret—is the personal contacts that we have been able to establish and to keep going. I have had a good deal of experience of these Conferences. One week of a Conference produces more good than six months of diplomatic correspondence. Let us get down to facts face to face; let us sit round the table; let each of us state our claims, state our hopes, state our fears, state our expectations; let each of us be candid one to another, and, face to face there is an enormously better chance of an understanding and an agreement than under any other circumstances. I wish to continue that condi-

tion. There are practical difficulties, as you know. Much work has still to be done in India of an educational and explanatory character.

At this minute, after all the heavy work we have had to undertake without remission during the whole day, and very often far into the night, you will understand me when I say that I am not in a position at this moment to tell you precisely the plan by which these negotiations are going to be continued and these personal contacts to be maintained. I mention that because I know that some of my friends place great store upon these points, and I want to assure you before you go home that I thoroughly agree with you regarding them.

I propose to confer with the new Viceroy at once, who is arriving here in a few days, and tell him what has been done by my colleagues and myself, and I hope in this that I may include my Parliamentary colleagues as well as my Governmental colleagues, and agree to a plan which will satisfy the requirements which I have just stated.

At this point I will read to you the declaration which I am authorised to make by my colleagues of the Government.

The view of His Majesty's Government is that responsibility for the Government of India should be placed upon Legislatures, Central and Provincial, with such provisions as may be necessary to guarantee, during a period of transition, the observance of certain obligations and to meet other special circumstances, and also with such guarantees as are required by minorities to protect their political liberties and rights.

In such statutory safeguards as may be made for meeting the needs of the transitional period, it will be a primary concern of His Majesty's Government to see that the reserved powers are so framed and exercised as not to prejudice the advance of India through the new constitution to full responsibility for her own government.

His Majesty's Government, whilst making this declaration, is aware that some of the conditions which are essential to the working of such a constitution as is contemplated, have not been finally settled, but it believes that as the result of the work done here, they have been brought to a point which encourages the hope that further negotiations, after this declaration, will be successful.

His Majesty's Government has taken note of the fact that the deliberations of the Conference have proceeded on the basis, accepted by all parties, that the Central Government should be a Federation of all-India, embracing both the Indian States and British India in a bi-cameral legislature. The precise form and structure of the new Federal Government must be determined after further discussion with the Princes and representatives of British India. The range of subjects to be committed to it will also require further discussion, because the Federal Government will have authority only

in such matters concerning the States as will be ceded by their Rulers in agreements made by them on entering into Federation. The connection of the States with the Federation will remain subject to the basic principle that in regard to all matters not ceded by them to the Federation their relations will be with the Crown acting through the agency of the Viceroy.

With a Legislature constituted on a federal basis, His Majesty's Government will be prepared to recognise the principle of the responsibility of the Executive to the Legislature.

Under existing conditions the subjects of Defence and External Affairs will be reserved to the Governor-General, and arrangements will be made to place in his hands the powers necessary for the administration of those subjects. Moreover, as the Governor-General must, as a last resort, be able in an emergency to maintain the tranquillity of the State, and must similarly be responsible for the observance of the constitutional rights of Minorities, he must be granted the necessary powers for these purposes.

As regards finance, the transfer of financial responsibility must necessarily be subject to such conditions as will ensure the fulfilment of the obligations incurred under the authority of the Secretary of State and the maintenance unimpaired of the financial stability and credit of India. The Report of the Federal Structure sub-Committee indicates some ways of dealing with this subject including a Reserve Bank, the service of loans, and Exchange policy, which, in the view of His Majesty's Government, will have to be provided for somehow in the new constitution. It is of vital interest to all parties in India to accept these provisions, to maintain financial confidence. Subject to these provisions the Indian Government would have full financial responsibility for the methods of raising revenue and for the control of expenditure on non-reserved services.

This will mean that under existing conditions the Central Legislature and Executive will have some features of dualism which will have to be fitted into the constitutional structure.

The provision of reserved powers is necessary in the circumstances and some such reservation has indeed been incidental to the development of most free constitutions. But every care must be taken to prevent conditions arising which will necessitate their use. It is, for instance, undesirable that Ministers should trust to the special powers of the Governor-General as a means of avoiding responsibilities which are properly their own, thus defeating the development of responsible Government by bringing into use powers meant to lie in reserve and in the background. Let there be no mistake about that.

The Governors' Provinces will be constituted on a basis of full responsibility. Their Ministries will be taken from the Legislature and will be jointly responsible to it. The range of Provincial subjects will be so defined as to give them the greatest possible measure of self-government. The authority of the Federal Government will be limited to provisions required to secure its adminis-

tration of Federal subjects, and so discharge its responsibility to subjects defined by the constitution as of all-India concern.

There will be reserved to the Governor only that minimum of special powers which is required in order to secure, in exceptional circumstances, the preservation of tranquillity, and to guarantee the maintenance of rights provided by Statute for the Public Services and minorities.

Finally, His Majesty's Government considers that the institution in the Provinces of responsible government requires both that the Legislatures should be enlarged and that they should be based on a more liberal franchise.

In framing the Constitution, His Majesty's Government considers that it will be its duty to insert provisions guaranteeing to the various minorities, in addition to political representation, that differences of religion, race, sect or caste, shall not themselves constitute civic disabilities.

In the opinion of His Majesty's Government it is the duty of the communities to come to an agreement amongst themselves on the points raised by the Minorities sub-Committee but not settled there. During the continuing negotiations such an agreement ought to be reached and the Government will continue to render what good offices it can to help to secure that end, as it is anxious not only that no delay should take place in putting the new Constitution into operation, but that it should start with the good-will and confidence of all the communities concerned.

The various sub-Committees which have been studying the more important principles of a Constitution which would meet Indian conditions have surveyed a considerable part of the structure in detail and the still unsettled points have been advanced a good way to an agreement. His Majesty's Government, however, in view of the character of the Conference and of the limited time at its disposal in London, has deemed it advisable to suspend its work at this point, so that Indian opinion may be consulted upon the work done, and expedients considered for overcoming the difficulties which have been raised. His Majesty's Government will consider, without delay, a plan by which our co-operation may be continued so that the results of our completed work may be seen in a new Indian Constitution. If, in the meantime, there is a response to the Viceroy's appeal to those engaged at present in civil disobedience, and others wish to co-operate on the general lines of this declaration, steps will be taken to enlist their services.

I must convey to you all on behalf of the Government its hearty appreciation of the services you have rendered not only to India but to this country, by coming here and engaging in these personal negotiations. Personal contact is the best way of removing those unfortunate differences and misunderstandings which too many people on both sides have been engendering between us in recent years. A mutual understanding of intention and difficulty, gained under such conditions as have prevailed here, is by far the best way for discovering ways and means of settling differences and satisfying

a broad-minded statesmanship in meeting our aspirations, which have not merely surprised but gladdened our hearts and filled them with gratitude. Mr. Prime Minister, the work that under your guidance we have accomplished here is of great magnitude. The whole world has been interested in our success. You have been, sir, if a somewhat harsh (and a paradoxical) metaphor may be allowed me on this occasion, a valiant soldier of peace. On your breast my vision sees many prizes and medals in this pacific war; but believe me if this, our work, goes through and sees its consummation, which I hope under God's providence it will, then you will have won the Victoria Cross of peace.

It is only the first and hardest part of our task that is over. A good deal is to follow, scarcely less arduous and scarcely less taxing, on both sides of the water. This scheme of ours, adumbrated in the declaration that you have just made, has, I make no doubt, many friends and many critics. Most of those friends at the present moment are perhaps lukewarm, while many of the critics are candid to a degree; but when we go back to India this scheme must find champions and advocates, convinced of their cause and willing to brave risks in its spread throughout the country. I make no doubt that it is amongst us here, who have helped to shape this constitution, that we must look for its best and most convinced champions; and may I say that it is not only on this side, but it is on the other side also, that the cause must look for advocacy. We want Princes of India, chiefs and ruling powers of that great country—we want that amongst you, too, we should find men somewhat made for this Indian federation, men who like Don Quixote will go forth to do battle for it regardless of what may be said around them, of what tongue may utter, or pen may write, but resolved to risk everything —life, limb, and wealth—in the pursuit of this great ideal. You have shown magnificent foresight, persistence and statesmanship in bringing the idea into birth. Pray go on with it, and when you go back to India convince the lesser Princes of your own Order that Federation is in their interests, and that under it they will in due time find the fruition of their hopes. Also I pray you with all my heart, on behalf of those subjects who to-day are looking to this Conference for their redemption, to come along and adopt institutions for their welfare and their contentment. Also I pray you with all my heart, on behalf of those subjects who to-day are looking to this Conference for their redemption, to come along and adopt institutions for their welfare and their contentment—not, perhaps, an exact reproduction of British institutions, but institutions adapted by your wisdom, by your traditional knowledge and by your care for the peoples, to their capacity, calculated to bring them forward to an appreciation of that full citizenship which we and they alike, under your care and protection, hope soon to enjoy as the subjects of Federal India.

Begum Shah Nawaz: Mr. Prime Minister, your momentous and historic words are ringing in my ears, and your message to my motherland, worded as it has been in such wise and gracious lan-

guage, has so deeply touched my heart that words fail to express my feelings. I congratulate you, Sir, the members of your Government, as well as the members of the other two great political parties in England on your wise decision and bold statesmanship. Your name, Sir, will not only be written in letters of gold but will go down to history as the name of one who knew how to combine statesmanship with wisdom and friendship. The great moment for which we have waited so long has arrived, and, thanks to you, the greatest friend of my country, to-day we stand before the dawn of a new era—an era which will be remembered always for this wonderful achievement of having united England and India in an everlasting link of comradeship and friendship.

Sir, history will record that when India came to ask, England knew how to give in the manner of a great nation. The greatest success of this country lies not only in the achievement of so much in so short a time, but in the removal of that mistrust, that suspicion which was present in every mind. We came with misgivings, we are going back with a wealth of confidence and trust. The free exchange of ideas, and the personal contact produced by sitting around one table on an equal platform has been the means of creating an atmosphere of mutual co-operation and trust and good-will. I congratulate both England and India on this great achievement, and I congratulate you, most heartily, Sir, on its success.

May I ask you, Sir, to convey our best thanks to His Majesty the King Emperor and our Beloved Queen Empress for their generous messages and sympathetic interests and kind hospitality. It has been our greatest happiness to have had this opportunity of basking in the sunshine of their presence. We thank all the British nation for their kind hospitality, help and sympathy; the warmth of our sunny skies which has been lacking in the cold atmosphere of London has been more than supplied by the warmth of the welcome which has been accorded to us. In the wise words of the Lord Chancellor, a seed was sown, a noble plant has grown, and it is for us to provide a suitable soil for this plant to grow from day to day until at last it becomes a great big tree with green and shady branches so that all may take shelter under them. How can that be achieved?—through unity alone.

Let us, then, be up and doing,
With a heart for any fate,
Still achieving, still pursuing,
Learn to labour and to wait.

Chairman: We are all very much obliged to you indeed for the kind expressions to which you have given voice. We have a lot of work to do yet, and I hope that we shall all be spared to see it advanced substantially further than it has been possible to advance it here.

Before saying that I leave the Chair for the last time, which I am really very sorry to do, I must communicate to you the reply